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NOTES ON ROLL 14

The three volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / Supreme Court / U. S. / 41 / October 20, 1880 / to / April 6, 1881"; (2) "Minutes / Supreme Court / U. S. / 42 / April 6, 1881 / to / Jan. 17, 1882"; and (3) "Minutes / Supreme Court / U. S. / 43 / Jan. 17, 1882 / to / Nov. 14, 1882." They contain the minutes of the Supreme Court of the United States from October 20, 1880, to November 14, 1882.

The first volume contains the minutes of the Court from October 20, 1880, to April 6, 1881; the second, from April 6, 1881, to January 17, 1882; and the third, from January 17 to November 14, 1882.

VOLUME

41

Benjamin W. Boykin and Francis W. Boykin, by their guardian Francis S. Boykin, be entered as appellants in this cause

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The American Cotton Tie Company, Limited vs. Plff in Error John A. Klein, Francis W. Logue, James W. H. Harris & Nathaniel A. Harris.	In Error to the Circuit Court of the United States for the District of Louisiana.

27

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, whereupon the counsel for the plaintiff in error and the defendants in error jointly presented to the Court a written agreement of compromise in words and figures as follows:

The American Cotton Tie Company (Limited) Plff. in Error.
vs.
John A. Klein, Francis M. Logue, James W. M. Harris and Nathaniel A. Harris, defendants in error.

Supreme Court of the United States—
October Term 1880—
No. 27—

It is agreed between the plaintiff in error and the defendants in error in the above entitled cause through their undersigned counsel respectively, that the judgment of the lower Court for seventy-five thousand dollars ($75,000) rendered against the plaintiff in error, (defendant in said lower Court) be diminished and reduced to the sum of forty-seven thousand, five hundred dollars ($47,500) without interest and the defendants in error do hereby enter a remittitur on said judgment so as to reduce the amount thereof to the said sum of forty-seven thousand, five hundred dollars, without interest and it is agreed that said judgment as thus reduced be affirmed in this Court.

Oct. 20th 1880.

W. B. Pittman, Atty. for defts. in error.
Thos. J. Semmes, of counsel for defts. in error.
Joseph K. Choate, Atty & Counsel for plff. in error
A. H. Evarts, of counsel for plff. in error.
J. A. Beckwith, Atty. for plff. in error.

Whereupon, It is considered, ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be diminished and reduced to the sum of forty-seven thousand, five hundred dollars ($47,500) without interest and that said judgment as so reduced be affirmed, the plaintiffs in error to pay all costs as well in this Court as in the said Circuit Court.

per Mr. Chief Justice Waite.

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27 The American Cotton Pie Co, Limited
vs. Plff. in Error
John A. Klein et al

On motion of Mr. T. J. Semmes leave is hereby granted the Clerk to issue the Mandate in this cause.

167	The State ex rel. Morris Ranger vs. Plff. in Error. The City of New Orleans.	On motion of Mr. T. J. Semmes,

leave granted Mr. E. H. McCaleb, counsel for the defendant in error in this cause, to file brief within thirty days

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34	The Baltimore & Ohio Railroad Company. vs. Appellant. The District of Columbia	On motion of Mr. A. G. Riddle, of counsel for the appellee, ordered that this cause be, and the same is hereby, passed.

32	The New Orleans, Mobile & Texas R. R. Co. vs. Plff. in Error. The State of Mississippi.	The argument of this cause was continued by Mr. A. M. Clayton, of

counsel for the defendant in error, and concluded by Mr. Thomas L. Payne, of counsel for the plaintiff in error.

35	Lawrence G. Graham et al. vs. The La Crosse & Milwaukee Railroad Co. et al.	Appellants.

The argument of this cause was commenced by Mr. M. H. Carpenter, of counsel for the appellants, and continued by Mr. D. Mariner, of counsel for the appellees

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Thursday October 21st 1880.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne — Associate Justices
Samuel F. Miller — Associate Justices
William Strong — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
John F. Nicolay Esquire — Marshal
James H. McKenney — Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. M. F. Morris, it is ordered that Charles M. Peck Esquire, of Dayton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday October 21st 1880, Continued

Francis H. Colclazier
vs. Appellant.
William H. Cowling, Albert L.
Sturtevant, Thomas P. Keene
Nash B. Williams, F. L. Camp-
bell, et. al. U. S. Provost T. M.
Parke, and James S. Delano.

Mr. J. J. Kimball of counsel for the appellee, having filed in open Court the following certifi-

te, to wit:

In the Supreme Court of the District of Columbia.
October 20. 1880.

Francis H. Colclazier, Complainant
vs.
William H. Cowling, Albert L. Sturte-
vant, Thomas P. Keene, Nash B. Wil-
liams, F. L. Campbell, et al U. S. Pro-
vost T. M. Parke, and James S. Dela-
no Defendants.
No. 6007

I, Return J. Meigs,
rk of the Supreme Court of the District
Columbia, hereby certify that in the
ve entitled cause, in the said Supreme
urt of the District of Columbia, the
llowing final decree was entered, to wit:

This cause having come up to be heard, on the general term, upon the appeal from the decree passed on the 28th day of March, A. D. 1879, dismissing the the bill, and having been argued by counsel: it is this 4th day of November, A. D. 1879, ordered, adjudged and decreed that the bill in this —— be, and hereby is dismissed with costs. And from this decree the complainant, by his solicitor, here now in open Court, prays an appeal to the Supreme Court of the United States, and the same is allowed.

And I further certify that, in the said case, the following decree was passed, to wit:

This this 4th day of November, A. D. 1879, ordered, adjudged and decreed that the decree passed in General Term, on the 4th day of November, be amended by making the plaintiff liable only for the costs of the appeal.

By order of the Court, D. K. Cartter, Chf. Just.

In testimony whereof, I here-
unto subscribe my name
and affix the seal of the
said Supreme Court of the
District of Columbia, the

(Seal)

day and year aforesaid.

R. J. Meigs, Clerk."

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, moved the Court in pursuance of the 9th Rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Supreme Court of the District of Columbia, be, and the same is hereby docketed and dismissed with costs. And that this cause, be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Taney.

Laurence J. Graham et al. Appellants.
vs.
The La Crosse & Milwaukee Railroad Co. et al.

33

The argument of this cause was continued by Mr. E. Mariner and Mr John H. Carey, of counsel for the appellees, and concluded by Mr. W. H. Carpenter,

of counsel for the appellants.

William H. Groat et al
vs. Appellants
Owen O'Hare.

This cause was argued by Mr. J. J. Crittenden of counsel for the appellants, and by Mr. W. F. Morris, of counsel for the appellee.

The Peoples Bank of Belleville,
vs. Plff in Error
Philo C. Calhoun et al

This cause was argued by Mr. B. H. Bristow of counsel for the defendants in error and submitted on printed arguments by Mr. Chas. H. Thomas, of counsel for the plaintiff in error.

Isaac W. Lord
vs. Plff in Error
The Goodall, Nelson & Perkins Steamship Co.

This cause was argued by Mr. C. A. Kent, of counsel for the plaintiff in error, and by Mr. John E. Ward, of counsel for the defendant in error.

38	Alfred H. Andrews et al. '65. Henry W. Congar.	Pffs. in Error	This cause was submitted to the consideration of the

Court on the record and printed arguments by Mr. George Herbert of counsel for the plaintiffs in error, and by Mr. Charles Hitchcock, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday October 22nd 1880

Pursuant to adjournment the Court met to day at the Capitol —

Present

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne
Samuel F. Miller
William Strong — Associate Justices
Joseph P. Bradley
John M. Harlan

John F. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

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107 The U. S. ex rel. Thos. McBride, P. O. vs Carl Schurz, Secy, &c.
637 The Ivanhoe Mining Company " " The Keystone Mining Co.
8 Jas. Jeffkinsetal, Appellants, vs. Addison Sweetser.
6 The United States, Plaintiff, vs. Murray Stanley.
9 The United States, Plff. in Error, vs. Michael Ryan.
13 The United States, Plaintiff, vs. Samuel Nichols.
25 Richard Keighman, Appellant, vs. Wm Proctor et al.

Ordered by the Court that these cases be re-assigned for argument on the 9th of November in the order of their original assignment.

666	Jesse D. Wilson et al. vs. The District of Columbia et al. Appellants.	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the motion of Mr. John F. Hanna, of counsel for the appellants: It is now here ordered, adjudged and decreed by this Court that this appeal, be, and the same is hereby dismissed with Clerk's costs to be paid by the appellants.

per Mr. Chief Justice Waite.

1019	George Hayes vs. Valentine Fischer. Plff. in Error.	The motion to dismiss this cause was submitted to the consideration of the

Court on printed arguments by Mr. C. F. Blake, in support of the same, and by Mr. J. H. Whitelegg, in opposition thereto.

Walter S. Turner, Edwin H. Sheldon, and Berthold Loewenthal, Trustees of the Chicago Land Company
vs. Appellants.
John I. Blair, The Lackawanna Iron & Coal Co, The Delaware, Lackawanna & Western Railroad Company et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the authority of counsel for the appellants on file and on motion of Mr. Fillmore Beall, in behalf of counsel: It is now here ordered, adjudged and decreed by this Court, that this appeal, be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

	Loren Giddings et al Administrators &c.,	This cause was argued by Mr. Thomas Hoyne of counsel for the appellee, and submitted on printed arguments by Mr. H. S. Miller and Mr. Thomas E. Frost, of counsel for the appellants.
39	vs. Appellants	
	The Northwestern Mutual Life Insurance Co.	

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 25th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne
Samuel F. Miller
Stephen J. Field — Associate Justices
William Strong
Joseph P. Bradley
John M. Harlan
John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. S. Henkle, it is ordered that Alex. H. Watson Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Edwin D. Smith, it

is ordered that Robert R. Bishop Esquire, of Newton, State of Massachusetts, and H. C. West Esquire, of Washington City, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Calderon Carlisle, it is ordered that George C. Burgwin Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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	Anna M. Sims	Appeal from the
31	vs. Appellant	Circuit Court of
	William Everhardt &	the United States
	Elizabeth B. Burson, Ex-	for the District
	ecutor & Executrix of Mag-	of Indiana.
	dalena Everhardt, decd,	
	Margaret Darlington &	
	James Everhardt.	

This cause came on to be heard on the

Transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby reversed with costs: And that this cause, be, and the same is hereby remanded to the said Circuit Court with instructions to enter a decree in accordance with the opinion of this Court.

per Mr. Justice Strong

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2 | Daniel Hand et al 75 Plffs. in Error | In Error to the Supreme Court of the State of South Carolina.
Johnson Hagood, substituted for Thomas C. Dunn, Comptroller General of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina,

and was argued by counsel. On consideration whereof: It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

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11 James R. Buster vs. Anthony N. Thomas, legal representative of J. D. Thomas, deceased. | Appeal from the District Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof: It is now here ordered, adjudged and decreed by this Court that this appeal, be, and the same is hereby dismissed for want of jurisdiction.

per Mr. Chief Justice Waite

Alfred Shaw
26 vs. } In Error to the
Nicholas F. Cary, Re- } Circuit Court
ceiver of the New Or- } of the United States
leans National Bank- } for the District of
ing Association. } Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof: It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

Per Mr. Chief Justice Waite.

William C. Franoe, Charles H. Murray, William Murray, Charles P. Tatum, Robert A. Kerr and Henry Peterson.	In Error to the Supreme Court of the State of Missouri.
915 vs. Plffs. in Error.	
The State of Missouri ex rel. Jackson L. Smith, Attorney General.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on the motion to dismiss which was argued by counsel - On consideration whereof. It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite

William H. Seward et al	On consid
740 vs. Appellants.	eration of
J. B. Comeau, Sheriff &c.	the motion
	to dismiss

this cause: It is now here ordered by the Court that this appeal, be, and the same is hereby dismissed, unless shall, on or before the first Monday in January next, give bond, with good and sufficient security, in due form of law, to prosecute their appeal to effect and to answer all damages and costs if they fail to make their plea good; the bond to be in the penal sum of one thousand dollars, and the security taken and approved by the Justice of this Court assigned to the fifth circuit.

per Mr. Chief Justice Waite.

1132 The St. Paul & Chicago Railway Company, Plff. in Error. vs. Samuel McLean.

On consideration of the motion to dismiss in this cause: It is now here ordered that said motion, be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

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649 The City of Opelika vs. Richard S. Daniel | Plff. in Error. | On consideration of the motion to dismiss this cause; It is now here ordered that the further consideration of said motion be, and the same is hereby postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Waite.

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257 Mark Young, of D.C. 1879 vs. Powell McBradley et al. | Appellant. | On consideration of the petition of Mark Young, filed in this cause: It is now here ordered by the Court that leave be, and the same is hereby granted him to apply to the Supreme Court of the District of Columbia for permission to file a bill of review in this cause, on the ground of newly discovered evidence.

per Mr. Chief Justice Waite

815	The United States,	Appellant,	vs. Henry W. Hubbell
816	Henry W. Hubbell,	"	" The United States
817	The United States,	"	" Henry W. Hubbell
818	Henry W. Hubbell,	"	" The United States
819	The United States,	"	" The Sun Mut. Ins. Co.
820	The Sun Mut. Ins. Co.	"	" The United States.
821	The United States,	"	" The China Mut. Ins. Co.
822	The China Mut. Ins. Co.	"	" The United States.
823	The United States,	"	" J. C. Miller, Admr.
824	J. C. Miller, Admr.	"	" The United States
825	The United States,	"	" J. P. Paulison, Admr.
826	J. P. Paulison, Admr.	"	" The United States

On motion of Mr. Attorney General Devens, ordered that these cases be re-assigned for argument on January 17th 1881, at the foot of the day calendar.

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637 The Ivanhoe Mining Co. vs. The Keystone Consolidated Mining Co. | Off. in Error

On motion of Mr. S. M. Wilson, ordered that this cause be re-assigned for argument on the 4th day of November, at the head of the day calendar.

116	The Richmond Mining Co. vs. The Eureka Consolidated Mining Company. Appellant.	On motion of Mr. S. M. Wilson, ordered that these cases be assigned for argument on March 15th 1881, at the foot of the day calendar.
117	The Richmond Mining Co. vs. The Eureka Consolidated Mining Company. Appellant.	
118	The Richmond Mining Co. vs. The Eureka Consolidated Mining Company. Plff. in Error.	

869	The District of Columbia vs. E. H. Du Bose. Plff. in Error	Mr. Samuel Shellabarger, of counsel for the defendant in error, suggested the death of E. H. Du Bose, the defendant in error in this cause, and moved the Court for leave to enter the appearance of Charles H. Armes, Administrator of the said E. H. Du Bose, deceased, as the defendant in error in this cause. Whereupon it is ordered

that Charles H. Grimes, Administrator of E. H. Le Bosc, deceased, as aforesaid, be, and he is hereby made the party defendant in error in this cause with liberty to resist this writ of error.

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287 Josephine Faut vs. Appellant. Wm. H. Jordan et al

The motion to dismiss or affirm in this cause was submitted to the consideration of the Court on printed arguments by Mr. T. D. Lovidge and Mr. R. Tindall in support of the same, and by Mr. T. T. Critenden, in opposition thereto.

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278 James M. Schoonmaker et al vs. Plffs. in Error. John Gilmore

and

279 Samuel S. Brown et al, vs. Plffs in Error. John N. Davidson et al.

The motions to dismiss or affirm in these cases were submitted to the consideration of the Court on printed arguments by Mr Alexander M. Watson and Mr. George

Shiras Jr. in support of the same, and by Mr. Hill Burgwin in opposition thereto.

103	The United States, Appellant. vs. Ethelbert B. Bright	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Asst Atty Genl Smith, of counsel for the appellant: It is now here ordered and adjudged by this Court that this appeal, be, and the same is hereby dismissed.

per Mr. Chief Justice Waite.

104	The United States, Appellant. vs. James R. Nelson.	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Asst Atty Genl Smith, of counsel for the appellant, It is now here ordered and ad-

judged by this Court that this appeal, be, and the same is hereby dismissed.

per Mr. Chief Justice Waite.

105	The United States vs. Marion F. Fleman, administrator of Sarah C. Fleman, deceased — Appellant.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Ass't Att'y Gen'l Smith, of counsel for the appellant. It is now here ordered and adjudged by this Court that this appeal, be, and the same is hereby dismissed.

per Mr. Chief Justice Waite.

106	The United States vs. John N. Burcham — Appellant.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court

of Claims, and on the motion of Mr. Asst Atty Genl Smith, of counsel for the appellant: It is now here ordered and adjudged by this Court that this appeal, be, and the same is hereby dismissed.

per Mr. Chief Justice Waite

107	The United States vs. Stephen N. Chism	Appellant. Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Asst Atty Genl Smith, of counsel for the appellant: It is now here ordered and adjudged by this Court that this appeal, be, and the same is hereby dismissed.

per Mr. Chief Justice Waite

108	The United States vs. Daniel Henry.	Appellant Appeal from the Court of Claims.

This cause came on to be heard on the

transcript of the record from the Court of Claims, and on the motion of Mr. Asst Atty Genl Smith, of counsel for the appellant: It is now here ordered and adjudged by this Court that this appeal, be, and the same is hereby dismissed.

per Mr. Chief Justice Waite.

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112 J. Thingate Thornton, Plff in Error
v.s.
The Marginal Freight R. R. Co. et al

Mr. E. B. Smith of counsel for the plaintiff in error, suggested the death of J. Thingate Thornton, the plaintiff in error in this cause, and on his motion, it is ordered that this cause be continued until the next term.

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117 N. C. Knight
of U. S. 1879 v.s. Plff in Error
Charles McLaughlin

Mr. S. S. Henkle filed and submitted to the consideration of the Court, motion to amend the judgment of dismissal in this cause.

Monday October 25th 1880, continued

41	The Swain Turbine & Manufacturing Co. vs. James E. Ladd. Appellant.	On motion of Mr. J. S. Ebbert, ordered that this cause take the place on the docket of No. 43, and vice versa.

40	Caroline Pell. et al vs. Horace S. Johnston. Appellants	This cause was argued by Mr. W. A. Wiley, of counsel for the appellants, and by Mr. A. H. Riddle, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 26th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R Waite — Chief Justice.
Noah H. Swayne, Stephen J. Field, William Strong, Joseph P. Bradley, John M. Harlan — Associate Justices
John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Jno. D. Abbott, it is ordered that Charles E. Mitchell Esquire, of New Britain, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Linden Kent, it is ordered that Shepard Barclay, Es-

quire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

43	Joseph Farneau, Appellant. vs. Dozier, Lloyd & Co.	This cause was argued by Mr. R. H. Parkinson, of counsel for the appellant, and by Mr. Edward Boyd, of counsel for the appellees.

41	The Swain & Turbine Manufacturing Co. Appellant. vs. James E. Ladd.	The argument of this cause was commenced by Mr. John A. Abbott, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Wednesday October 27th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present -

The Honorable Morrison R. Waite — Chief Justice.
Noah H. Swayne
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan — Associate Justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Edward Jamm, it is ordered that Louis J. Fleming Esquire, of Jacksonville, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jno. S. Abbott, it is ordered that H. H. Boardman Esquire,

of Lowell, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Swain Turbine & Manufacturing Co.	The argument of this cause was
41	vs. Appellant	continued by Mr.
	James C. Ladd.	J. S. Abbott, of
		counsel for the

appellant; by Mr. C. E. Mitchell, of counsel for the appellee, and concluded by Mr. F. H. Boardman, for the appellants.

	James Hall	This cause was sub-
44	vs Plff. in Error.	mitted to the con-
	The State of Wisconsin.	sideration of the
		Court on the rec-

ord and printed argument by Mr L. S. Dixon, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

145	Barney Tiernan et al Plffs. in Error. vs. Selim Rinker, Treasurer &c.	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. C. H. Willis, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

146	Orrin N. Potter, Executor &c. Plff. in Error. vs. The Third National Bank of Chicago.	The argument of this cause was commenced by Mr. George Willard, of counsel for the plaintiff in error, and continued by Mr. J. H. Thompson, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday October 21st 1880.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne, Stephen J. Field, William Strong, Joseph P. Bradley, John M. Harlan — Associate Justices
John G. Nicolay Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. J. H. Thompson, it is ordered that John D. Butler Esquire, of Milan, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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46 | Orrin H. Potter, Executor &c. vs. The Third National Bank of Chicago. | Pltf. in Error. | The argument of this cause was continued by Mr. J. H.

Thompson and Mr. H. H. Jackson, of counsel for the defendant in error, and concluded by Mr. George Willard, of counsel for the plaintiff in error.

	The U. S. Ex rel. Thomas McBride,	On motion of Mr. Assistant Attorney Smith,
104	vs. Plff. in Error.	leave is hereby
	Carl Schurz, Secretary of the Interior.	granted him to

file motion for an order to strike from the files, on account of its scandalous character, a pamphlet placed thereon and purporting to be remarks of Mr. James H. Blandeville, of counsel for the plaintiff in error.

	The Pennsylvania Co.	This cause was
44	vs. Plff. in Error.	argued by Mr. J.
	Joseph E. Ray.	P. Brooks, of coun-

sel for the plaintiff in error, and by Mr. John Van Ormann, of counsel for the defendant in error

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Thursday October 28th 1880, continued

	The New Orleans, Mobile & Texas R. R. Co. et al.	The argument of this cause was
48	vs. Appellants.	commenced by
	Henry Ellerman	Mr Thomas L.
		Bayne, of counsel

for the appellants, and continued by Mr. T. J. Durant, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday October 29th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Noah H. Swayne, Stephen J. Field, William Strong, Joseph P. Bradley, John M. Harlan — Associate Justices
John F. J. Nicolai Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. A. Smith, it is ordered that N. K. Leyman Esquire, of Mansfield, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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291 The First National Bank of Commantville, Plaintiff in Error. vs. Adam Stiffe. | In Error to the Supreme Court of the State of Penn

sylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on motion of Mr. J. B. Crawley, of counsel for the plaintiff in error: It is now here ordered and adjudged by this Court, that the writ of error in this cause, be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Taney

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55 Elijah Smith, Receiver &c. vs. Warren McCullough et al. appellant

Mr. F. Henry Smyth, of counsel for the appellant, suggested the death of Joseph M. Stanley, one of the appellees in this cause, and Mr. John D. Butler, of counsel for the appellees, asked leave to enter the appearance of J. H. B. Smith, Administrator, with the will annexed of said Joseph M. Stanley, deceased. Whereupon: It is now here ordered that J. H. B. Smith, Administrator with the will annexed of Joseph M. Stanley, deceased

as aforesaid, be entered and made a party appellee in this cause, with liberty to resist this appeal.

It is further ordered that this cause, be, and the same is hereby, continued until the next term, by consent of counsel.

	The U. S. Ex rel: Thomas McBride,	
107	vs. Plff. in Error.	The motion filed by the Attorney
	Carl Schurz, Secretary of the Interior.	General for an order to strike

from the files, on account of its scandalous character, a pamphlet placed thereon by, and purporting to be remarks of, Mr. James H. Mandeville, of counsel for the plaintiff in error in this cause, was argued by Mr. Assistant Attorney General Smith, in support of the same, and by Mr. Mandeville, in opposition thereto. On consideration whereof: It is ordered by the Court that said pamphlet be stricken from the files of this Court on account of the impertinent and scandalous matter contained therein.

118	The New Orleans Mobile & Texas R. R. Co. et al., vs. Henry Ellerman.	Appellants.	The argument of this cause was continued by Mr. Thomas J. Durant, of counsel for the appellee, and concluded by Mr. Thomas L. Dayne, of counsel for the appellants.

119	Davis R. Dreyfus et al. vs. The New York Life Ins. Co.	Pffs. in Error.	This cause was argued by Mr. Shepard Barclay, of counsel for the plaintiffs in error, and by Mr. T. N. Judson, of counsel for the defendant in error.

50	Paul Leary, vs. Mary Long, Admx.	Appellant.	This cause was argued by Mr. C. L. Merriman, of counsel for the appel. Lant, and by Mr. S. T. Thomas, of counsel for the appellees.

51	Alexander Buchanan, vs. The City of Litchfield.	Pff. in Error.	This cause was argued by Mr Frank Morrison, of counsel for the plain-

tiff in error, and submitted on printed arguments by Mr. John M. Palmer, of counsel for the plaintiff in error, and by Mr. C. L. Knapp, of counsel for the defendant in error.

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52 John Pool et al. vs. Plff's in Error. / J. M. S. Kennedy. | This cause was submitted on printed argument by Mr. John Selden, of counsel for the defendant in error. No counsel appearing for the plaintiffs in error.

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53 The County of Irene, vs. Plff in Error. / Richard C. Daniel. | This cause was submitted to the consideration of the Court on the record and printed argument by Mr. John T. Morgan, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

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54 The County of Dickens, vs. Plff in Error. / Richard C. Daniel. | This cause was submitted to the consideration of the Court on the record and printed argument by Mr. John T. Morgan, of

counsel for the plaintiff in error. No counsel appearing for the defendant in error.

	The Keokuk Northern Line Packet Company	In Error to the Supreme Court of the State of Iowa.
58	vs. Plff. in Error	
	The City of Burlington.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and on the stipulation of counsel on file. It is now here ordered and adjudged by this Court, that the writ of error in this cause, be, and the same is hereby, dismissed.

per Mr. Chief Justice Taney

	The Keokuk Northern Line Packet Company,	In Error to the Supreme Court of the State of Iowa
59	vs. Plff. in Error	
	The City of Fort Madison	

This cause came on to be heard on the transcript of the record from the Su-

Supreme Court of the State of Iowa, and on the stipulation of counsel on file: It is now here ordered and adjudged by this Court that the writ of error in this cause, &c, and the same is hereby, dismissed – Clerks costs to be paid by plaintiff in error.

per Mr. Chief Justice Waite.

Proclamation being made the Court is adjourned until Thursday, November 4th 1880, at twelve o'clock.

Thursday November 4th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
— Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

515

The City of Louisiana, Plff. in Error vs. Thomas J. Wood.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. P. Dyer, of counsel for the plaintiff in error, and by Mr. John D. A. Leyden, of counsel for the defendant in error, under the 20th rule.

637	The Ivanhoe Mining Co. Plff. in Error. vs. The Keystone Consolidated Mining Company	Ordered by the Court that one hour be allowed counsel for the United States and The State of California, (Intervenors) respectively, in the argument of this cause.

637	The Ivanhoe Mining Co. Plff. in Error. vs. The Keystone Consolidated Mining Company.	The argument of this cause was commenced by Mr. B. F. Butler, of counsel for the State of California, (Intervenor,) continued by Mr. C. D. Barrett, of counsel for the plaintiff in error, by Mr. S. W. Wilson, of counsel for the defendant in error, by Mr. Attorney General Devens, of counsel for The United States, (Intervenor,) and by Mr. George T. Nourse, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday November 5th 1880.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan

} Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. H. Ross, it is ordered that James Kinsmoor Esquire, of Sterling, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

637	The Ivanhoe Mining Co., Plff. in Error. vs. The Keystone Consolidated Mining Company.	The argument of this cause was concluded by Mr. P. Van Cleef, of counsel for the plaintiff in error.

57	Solomon Solomon et al. Plffs. in Error. vs. C. C. Arthur, Collector, &c.	(Substituted for No. 56.) The argument of this cause was commenced by Mr. William Stanley, of counsel for the plaintiffs in error; continued by Mr. Assistant Attorney General Smith, of counsel for the defendant in error; and concluded by Mr. Edwards Pierrepont, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday November 8th 1880

Pursuant to adjournment the Court met
today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in
this behalf by Hon. S. F. Phillips, it is or-
dered that Newton H. Chittenden, Esquire,
of Santa Barbara, State of California,
be admitted to practice as an attorney
and counsellor of this Court and he was
sworn accordingly.

	Orrin N. Potter, Executor of Elon B. Ward, deceased,	In Error to the Circuit Court of the United States for the Northern Dis-
116	vs. Plff. in Error.	trict of Illinois.
	The Third National Bank of Chicago.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof: It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Harlan.

	The New Orleans, Mobile & Texas Railroad Co.,	In Error to the Supreme Court of the
32	vs. Plff. in Error.	State of Mis-
	The State of Mississippi.	

sissippi.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof: It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby reversed with costs: And that this cause, be, and the same is hereby remanded to the said Supreme Court for such orders as may be consistent with the opinion of this Court; and with directions that the Court of original jurisdiction be required to set aside all judgments and orders made in this suit after the presentation of the petition and bond for its removal into the Circuit Court of the United States, and to proceed no further in the suit.

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Miller.
Mr. Justice Field did not hear the argument and took no part in the decision of this cause.

Monday November 8th 1880 continued

19	Thomas D. Pearce vs. Lewis J. Mulford, Seth W. Hale, Shubael Cottle & Samuel P. Barker	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby reversed with costs: And that this cause, be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Strong.

36 The Peoples Bank of Belleville, Plff. in Error. | In Error to the Circuit Court of the United States for the Southern District of Illinois.
vs.
Edward F. Kinsley, and Jas. H. Wilson, late partners as Kinsley & Wilson - Philo C. Calhoun & George S. Spyke Interpleaders.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Miller.

	Loren Giddings and Leander Giddings, Administrators of Silas Giddings, deceased.	Appeal from the Circuit Court of the United States for the Northern District of
39	vs. Appellants.	
	The Northwestern Mutual Life Insurance Company of Milwaukee.	

Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

	William H. Coates & Henry Hinder,	Appeal from the Supreme Court of the District of Columbia.
35	vs. Appellants.	
	Owen C'Hare.	

Monday November 8th 1880, continued

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause, be, and the same is hereby reversed with costs: And that this cause, be, and the same is hereby remanded to the said Supreme Court with instructions to permit the parties, if they desire, to take further testimony in respect to the items of charge by O'Hare as stated in schedule D, and the certificates received by O'Hare from the Evans Concrete Company, and for such further proceedings not inconsistent with the opinion of this Court as shall seem to be necessary.

per Mr. Chief Justice Waite

Alfred H. Andrews, Herbert L. Andrews & Thomas J. Hayden, Plffs. in Error
vs.
Henry W. Congar.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

38

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Per Mr. Chief Justice Waite.

	Caroline Bell, Benjamin H. Chever jr. & Victoria J. Chever	Appeal from the Supreme Court of the District of Columbia.
41	vs. Appellants.	
	Horace S. Johnston.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

	Paul Leary,	Appeal from the Supreme Court of the District of Columbia.
50	vs. Appellant.	
	Mary Long, Administratrix of David Long, deceased et al	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was

argued by counsel. On consideration where-
of, It is now here ordered, adjudged and de-
creed by this Court that the decree of the
said Supreme Court in this cause, be, and
the same is hereby affirmed with costs.

per Mr. Chief Justice Taney.

	John Pool, John H. Wheeler and C. C. Pool.	In Error to the Supreme
52	vs. Plffs. in Error.	Court of the
	J. C. G. Kennedy.	District of Columbia.

This cause came on to be heard on the tran-
script of the record from the Supreme
Court of the District of Columbia, and was
argued by counsel. On consideration
whereof, It is now here ordered and ad-
judged by this Court that the judgment
of the said Supreme Court in this cause,
be, and the same is hereby affirmed with
costs and two hundred and eighty dollars
damages in addition to interest, until
paid, at the same rate per annum that
similar judgments bear in the Courts of

The District of Columbia.
per Mr. Chief Justice Waite.

The County of Greene, State of Alabama.	In Error to the Circuit Court of the United States for the Southern District of Alabama.
53 vs. Plff. in Error.	
Richard H. Daniel.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Alabama.
per Mr. Chief Justice Waite.

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511 The County of Pickens, State of Alabama, vs. Richard G. Daniel. | In Error to the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Alabama.

per Mr. Chief Justice Waite.

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287 Josephine Tant, Appellant vs. William H. Gordon, George H. Riggs et al. | Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

	James M. Schoonmaker & Samuel S. Brown, Plffs. in Error. vs. John Filmore.	In Error to the Supreme Court of the State of Pennsylvania.
878		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on the motion to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause,

&c, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite

Samuel S. Brown, James M. Schoonmaker & James N. Brown,		In Error to the Supreme Court of the State of Pennsylvania.
179	vs.	Plffs. in Error.
John N. Davidson et al., as R. Henderson & Company for use of R. Henderson & Samuel Watson, Admrs of R. Henderson, deceased.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and on the motion to dismiss or affirm which were argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, &c, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

1019	George Hayes, Plff. in Error vs. Valentine Fischer.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York and on the motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause, be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

147	N. A. Knight of C. G. 1879 vs. Charles McLaughlin. Plff. in Error.	On consideration of the motion to amend the judgment of dismissal in this cause, it is ordered that said motion, be, and the same is hereby denied.

	The Chicago & Pacific Railroad Company,	Mr. R. Biddle Roberts, in behalf of Mr. E. Walker, of counsel for the appellant, having
1020	vs. Appellant.	
	John T. Blair et al.	

filed in open Court a suggestion of a diminution of the record in this cause in the words and figures following, to wit:

That the record of this Court does not contain, "1st - A copy of the exceptions to the special report of the Master filed in the Court below on the eleventh (11th) day of February, A. D. 1880, being the report upon which the decisions decrees were based, from which this appeal was allowed.

2nd - The copy of order of Court allowing said appeals."

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a Writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the Northern District of Illinois, commanding them that searching the record and proceedings of said Court in this cause they

shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found. On consideration whereof, It is now ordered by this Court that a writ of certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the Northern District of Illinois, commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors, to the extent above enumerated, shall be found in this cause and return the same with the said writ of certiorari forthwith to this Court.

per Mr. Chief Justice Waite.

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3 Original — The State of New Hampshire Complainant. vs. The State of Louisiana.

On motion of Mr. J. A. Campbell, of counsel for the defendant, and on stipulation of counsel on file, ordered that this cause, &c.

and the same is hereby assigned for argument on January 3rd 1881.

	The State Ex rel: The Southern Bank,	Mr. J. C. Campbell, of counsel for the plaintiff in error, filed and submitted to the consideration of the Court motion to advance this cause.
1167	vs. Plff. in Error	
	Edward Pilsbury, Mayor &c. et al.	

	The State Ex rel: The Southern Bank,	Mr. J. C. Campbell, of counsel for the plaintiff in error, asked and obtained leave to file motion to insert the names of Rosalie Maenhout, Louisa Maenhout, Chas. F. Rodewald, Jones C. Roosevelt, and Paul J. Hugus, as relators in this cause.
1167	vs Plff. in Error.	
	Edward Pilsbury, Mayor &c. et al.	

736	The St Louis Smelting & Refining Company. vs. Plff in Error. Thomas Kemp et al. And.	Mr R. H. Bradford, of counsel for Sarah Kay et al, asked and obtained leave to file petition for leave to Sarah Kay et al, to intervene in No 736, and for an order to show cause why the
737	The St Louis Smelting & Refining Company. vs. Plff in Error. Sarah Kay et al.	

stipulation to submit said cause under the 20th Rule of this Court should not be vacated and set aside— And on motion of Mr. Walter H. Smith, of counsel for the plaintiff in error, ordered that the hearing of said petition be postponed until Monday next.

309	Nathan C. Draper, vs. Henry S. Davis et al.	The motion for a supersedeas in this cause was submitted on printed argu-

ments by Mr. W. C. L. Maloy in support of the same and by Mr. John Selden and Mr. Leigh Robinson in opposition thereto.

56	Carl L. Reckmagel et al. vs. Thomas Murphy, late Collector, &c.	Pltffs. in Error.

(Substituted for No. 57.) This cause was argued by Mr. J. F. Clarke and Mr. Wm. Stanley, of counsel for the plaintiffs in error. The Court declined to hear oral argument on part of the defendant in error.

60	John Forman, vs. The Board of County Commissioners of Boise County & Boise County.	Pltf. in Error.

In Error to the Supreme Court of the Territory of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute his writ of error, and failing to appear — It is, thereupon, in pursuance of the 16th Rule of this Court, and on the motion of Mr. R. P. Lowe, of counsel for the defendants in error, now here ordered

and adjudged by this Court that this cause, be, and the same is hereby dismissed with costs: And that this cause, be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

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61 The Bank of Montreal vs. George E. White. | Pff. in Error. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Hart Dexter, of counsel for the plaintiff in error, and by Mr. Allan C. Story and Mr. Robert Harvey, of counsel for the defendant in error.

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62 Albert Boulding et al., vs. Joseph Alexander et al. | Appellants. | The argument of this cause was commenced by Mr. S. S. Henkle, of counsel for the appellants, and continued by Mr. Thomas Wilson, of counsel for the appellees.

* 258	John H. Brooks & Alpheus Hardy, vs. C. T. 1879. vs. Atty's. The Burlington and Southwestern Railway Company et al.	Mr. Chief Justice Waite announced the opinion of the Court denying the petition for a rehearing in this cause.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday November 6th 1810.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Noah H. Swayne
Samuel F. Miller
Stephen J. Field — Associate Justices
William Strong
Joseph P. Bradley
John M. Harlan

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Joseph H. Choate, it is ordered that Broadwell Cleveland Esquire, of New York City, New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by F. Carroll Brewster, it is ordered that C. Riddle Esquire, of Wilkes Barre,

State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Steamboat "Sabine" &c.,
E. J. Parker, Public Admr of
Sarah C. Shirley, dec'd & al.
15 vs. Appellants.
The Steamboat "Richmond" &c.

On motion of Mr. A. Hyer, in behalf of counsel for the appellants, It is ordered that Pierre S. Hill, Public Administrator of the succession of Sarah C. Shirley, deceased, &c, and he is hereby substituted and made a party appellant in this cause in the place of E. J. Parker, with liberty to prosecute this appeal.

Albert Boulden & al.,
61 vs. Appellants.
Joseph Alexander & al.

The argument of this cause was concluded by Mr Thomas Hill son of counsel for the appellees.

Thursday, November 6th 1890, continued

107	The U. S. Ex rel. Thomas McBride, vs. Cont. Pff. in Error Carl Schurz, Secretary, &c.	On motion of Mr. J. H. Mandeville, fifteen minutes additional time allowed counsel for the plaintiff in error in the argument of this cause.

107	The U. S. Ex rel. Thomas McBride, vs. Cont. Pff. in Error Carl Schurz, Secretary of the Interior	The argument of this cause was commenced by Mr. James H. Mandeville, of counsel for the plaintiff in error, and continued by Mr Attorney General Miller, of counsel for the defendant in error, and by Mr Walter H. Smith, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Wednesday November 10th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Noah H. Swayne, Samuel F. Miller, Stephen J. Field, William Strong, Joseph P. Bradley, John M. Harlan, Associate Justices
John F. Nicolay Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Courts opened.

167	The United States Ex rel. Thomas McBride, vs. Carl Schurz, Secretary of the Interior	Pff. in Error.	The argument of this cause was concluded by Mr. H. H. Smith of counsel for the plaintiff in error, and submitted on printed argument by Mr. J. K. McCammon, of counsel for the defendant in error

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685	Addison C. Fletcher, Appellant. vs. Marshall B. Blake.	The argument of this cause was commenced by Mr. Treadwell Cleveland, of counsel for the appellant; continued by Mr. Solicitor General Phillips, for the appellee, and concluded by Mr. Joseph H. Choate, for the appellant

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8	James Hopkins et al., Appellants vs. Addison Sweetser.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. Carroll Brewster, of counsel for the appellants, and by Mr. A. Nichols, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday November 11th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice.

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
— Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry Beard, it is ordered that Henry D. Underhill Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. H. M. Springer, it is ordered that Edward F. Hicks Esquire,

of Jacksonville, State of Illinois, to be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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945 Thomas L. James, Appellant vs. Christopher C. Campbell et al.

Mr. Assistant Attorney General Smith, of counsel for the appellant, filed and submitted to the consideration of the Court, motion to advance this cause.

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6 The United States, Plaintiff vs. Murray Stanley

9 The United States, Plff. in Error vs. Michael Ryan and

13 The United States, Plaintiff vs. Samuel Nichols.

These causes were submitted to the consideration of the Court on the record and printed argument by Mr. Attorney General Devens and Mr. Assistant Attorney General Smith, of counsel for the United

States. He counsel appearing for the defendants.

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25 Richard H. Gilgiman, Appellant.
vs.
William Procter et al.

The argument of this cause was commenced by Mr. George Harding, of counsel for the appellants, and continued by Mr. G. D. Collier, for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday November 12th 1880

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened.

75 Richard C. Kilgman, appellant. vs. William Procter et al.

The argument of this cause was continued by Mr. C. B. Collier and Mr. M. H. Carpenter of counsel for the appellees and concluded by Mr. George Harding, of counsel for the appellant.

63 | John H. Isham, Plff. in Error. vs. Alexander H. Stone, a bankrupt, & Thomas L. Smith, assignee. | In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the authority of Mr. George Hoadley, of counsel for the plaintiff in error, on file, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Taite.

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64 | James L. Lehmer, Plff. in Error. vs. Alexander H. Stone, a bankrupt & Thomas L. Smith, assignee. | In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the

Transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the authority of Mr. George Keadby, of counsel for the plaintiff in error, on file, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief justice Taney.

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65 The Steamship "Benjamin" &c. vs. William H. Mount et al. appellants. appellees.

The argument of this cause was commenced by Mr. C. Van Santvoord, of counsel for the appellants. The Court declined to hear counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next, at twelve o'clock.

Monday November 15th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief justice.

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
} Associate justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry Baldwin Jr., it is ordered that Samuel T. Hollingsworth, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Lawrence G. Graham & Donald D. Scott,	
33	vs. Appellants.	Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.
	The La Crosse & Milwaukee R. R. Co., The Milwaukee & St. Paul Railway Co., James Ludington, Ephraim Marinus, James Kneland, Admr of the estate of Moses Kneland, dec'd, Sarah C. Chandler, Ellen C. Sexton, Francis Flint and Moses Burr Kneeland.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel—

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Bradley

	Hosea Ball and Margaret Haughery,	
29	vs. appellants.	Appeal from the Circuit Court of the United States for the District of Louisiana.
	Justin Langlois and A. & L. Daumgarden, composing the firm of Daumgarden & Langlois.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Strong.

78

W. S. Hunnicut, J. H. Barnes et al., vs. Pltffs. in Error
John B. Peyton & Emily H. Peyton, legal representatives of Balie Peyton, decd
Sallie B. Parker et al.

In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby reversed with costs: And that this cause, be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Strong.

Dissenting:
Mr. Justice Bradley.

115	Barney Tiernan and Patrick Tiernan, partners as B. & P. Tiernan, L. L. Higgins et al., Plffs. in Error vs. Selim Rinker, as County Treasurer of the County of Galveston, Texas.	In Error to the Supreme Court of the State of Texas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Field.

116	The United States vs. Plff. in Error. Saml. Hough, J. H. McDavitt & Lorenzo S. Lake, Executors of Charles D. Church, dec'd James E. Merriman & John R. Haggerer.	In Error to the Circuit Court of the United States for the Western District of Tennessee.

Monday November 15th 1880, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed.

per Mr. Justice Miller.

111	James Hall vs. The State of Wisconsin.	In Error to the Supreme Court of the State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby reversed with costs: And that this cause, be, and the same is hereby

manded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court

per Mr. Justice Swayne.

H. B. Wells,		In Error to the
716	vs. Pltff. in Error	District Court of
The Board of Supervisors		the United States
of Pontotoc County.		for the Northern
		District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

Dissenting:
Mr. Justice Swayne
" " Strong.

369	Nathan C. Draper vs Henry S. Davis et al.	Appellant.

On consideration of the motion for a supersedeas in this cause, It is ordered that said motion, &c, and the same is hereby denied without prejudice to its renewal if necessary.

per Mr. Chief Justice Waite.

167	The State Ex rel. The Southern Bank, vs Edward Salisbury, Mayor, &c.	Aff. in Error.

On consideration of the motion to advance this cause and argue the same with case No. 181, on the present docket. It is ordered that said motion, &c, and the same is hereby denied, but permission is hereby granted counsel in this case to submit printed arguments in case No. 181, on the questions common to the two cases; provided, twenty copies of such arguments are filed with the Clerk at least six days before No. 181, is reached for hearing.

per Mr. Chief Justice Waite.

Thomas L. James,
945 vs. Appellant.
C. C. Campbell et al.

Samuel R. Clexton,
1098 vs. Appellant.
C. C. Campbell et al.

and

C. C. Campbell, Assignee &c.
1101 vs. Appellant.
Thomas L. James et al.

On consideration of the motion to advance these cases - It is ordered that said motion, be, and the same is hereby granted and the cases are assigned for argument on the first Monday in January next, after No. 3 original.

Samuel Neslin &c.
344 vs. Appellant.
Wells, Fargo & Co.

and

Samuel N. Wells et al
345 vs. Plffs. in Error.
John N. Wells.

On motion of Mr. G. H. Williams, in behalf of counsel, leave is hereby granted to withdraw the records in these cases to supply clerical omissions.

The Buffalo & Jamestown Railroad Company.
59 vs. Plff. in Error.
Patrick Falconer et al.

On motion of Mr. R. T. Merrick, of counsel for the plaintiff in error,

ordered that the argument of this cause be postponed until No. 129 is reached and that the cases be argued as one case.

133	Henry Hanemstein et al, of C. F. 1879-15. Plffs in Error. John O'Brynham, Escheator, &c.	Mr. H. L. Royall filed and submitted to the

consideration of the Court, motion to reform the decree of this Court in this cause as to costs.

1165	Gorham P. Hopkins, vs Appellant. William J. Miller, Trus.	Mr. W. J. Miller, of counsel for the appellee, having filed in open Court the

following certificate, to wit:

"In the Supreme Court of the District of Columbia.

This 3d day of October A.D. 1880.

William J. Miller, Trustee, Complainant. vs. Gorham P. Hopkins, William J. Murtagh & Saml S. Henkle, Trustees, Defendants. } In Equity No 6314.

I, Return J. Meigs, Clerk of the Supreme Court of the District of Columbia, do hereby certify that in the Supreme Court of the District of Columbia, in General Term, in a cause pending in said Court, in which William J. Miller, Trustee, was complainant in Equity, and Gorham D. Hopkins, William J. Murtagh and Saul S. Henkle, Trustee, were defendants, a final decree was made in said Court, in said cause, on the Twenty first (21st) day of May A.D. 1880, in favor of said complainant William J. Miller Trustee, And from which said decree on the same day, to wit: on the 21st day of May A.D. 1880, in open Court the said defendant Gorham D. Hopkins prayed an appeal and was allowed his said appeal from the said decree to the Supreme Court of the United States.

In testimony whereof, I, Return J. Meigs, Clerk of the Supreme Court of the District of Columbia do subscribe my name and affix the seal of said Court hereto this 30th day of October A.D. 1880

{Seal} R. J. Meigs Clerk &c.

By R. J. Meigs Jr, Asst Clk."

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court in pursuance of the 6th rule, to have this appeal docketed and dismissed. On consideration whereof it is now here ordered, adjudged and decreed by this Court: that this appeal from the Supreme Court of the District of Columbia, be, and the same is hereby docketed and dismissed with costs: And that this cause, be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1467 The State Ex rel: The Southern Bank, vs Plff. in Error
Edward Pilsbury, Mayor &c.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. B. F. Jones and Mr. Henry C. Miller, in support of the same, and by Mr. J. C. Campbell and Mr. Edward Bermudez, in opposition thereto.

The New York & Wilmington Steamship Co.
vs. Appellant.
William H. Mount et al.

This cause was argued by Mr. C. Van Santvoord, of counsel for the appellant and by Mr. F. T. Tilden and Mr. R. D. Benedict, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday November 16th 1880.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite	Chief Justice
Noah H. Swayne	Associate Justices
Samuel F. Miller	
Stephen J. Field	
William Strong	
John M. Harlan	

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr R. T. Merrick, it is ordered that George Brown Esquire, of Knoxville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Baldwin Jr., it is ordered that L. Hill Esquire of Washington City District of Columbia, be admitted to

practice as an attorney and counsellor of this Court and he was sworn accordingly.

	William Deeson,	In Error to the
73	vs. Pltff. in Error.	Circuit Court of
	S. H. Harrington, Hoch	the United States
	Hanna, R. K. Rhodes and	for the Western
	J. F. Rhodes, partners as	District of Penn-
	Rhodes and Company.	sylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and on the motion of Mr. R. T. Merrick, of counsel for the plaintiff in error, and authority on file — It is now here ordered and adjudged by this Court that the writ of error in this cause, &c, and the same is hereby dismissed with costs.

per Mr. Chief Justice Taite.

	The Goodyear Dental	On motion of
	Vulcanite Company,	Mr. William
17	vs. Appellant.	Henry Clifford of
	Charles G. Davis.	counsel for the

appellant, ordered by the Court that one hour additional time be allowed each side in the argument of this cause.

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67 The Goodyear Dental Vulcanite Company, vs. Charles G. Davis. Appellant.

The argument of this cause was commenced by Mr. William Henry Clifford, of counsel for the appellant, and continued by Mr. Henry Baldwin Jr. of counsel for the appellee.

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66 The New York & Wilmington Steamship Company, vs. William H. Mount et al. Appellant.

On motion of Mr R. D. Benedict, of counsel for the appellees, leave is hereby granted him to file an additional brief in this cause, and to Mr. C. Van Santvoord, of counsel for the appellants, to file reply thereto, provided, both briefs are filed within ten days from this date and that brief of counsel for the appellees is served upon counsel for the appel-

lands 3 days before the expiration of the ten days.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Wednesday November 17th 1880.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne — Associate Justices
Samuel F. Miller — Associate Justices
Stephen J. Field — Associate Justices
William Strong — Associate Justices
John M. Harlan — Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

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67 The Goodyear Dental Vulcanite Company, Appellant vs. Charles G. Davis.

The argument of this cause was continued by Mr. H. L. Shipman, of counsel for the appellee, and concluded by Mr. B. F. Lee, of counsel for the appellant.

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519 A. J. Henley, Appellant vs. H. H. Page Receiver &c.

This cause was submitted to the consideration of

the Court on the record and printed arguments by Mr. C. C. Spurr of counsel for the appellant, and by Mr. S. C. Clemons of counsel for the appellee, under the 20th Rule.

The Inhabitants of the Town of Wayland,
vs. Plff. in Error.
Charles D. Adams.

In Error to the Circuit Court of the United States for the District of Massachusetts.

68

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and it appearing to the Court from the statement of counsel for the respective parties on file, that the matters in controversy have been settled - It is now here ordered and adjudged by this Court, that the writ of error in this cause, be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite.

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69 | Chester A. Arthur, Collector of the Port of New York, vs. Isaac E. Dreyfus & Aaron Kohn & Moses H. Rosenblatt. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the authority of counsel for the plaintiff in error on the case. It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby dismissed, each party paying their own costs in this Court.

per Mr. Chief Justice Taney.

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70 | Henry H. Starr, vs. The City of Chicago. Appellant. | On motion of Mr. L. Hill, of counsel for the appellant, ordered that this cause, be, and the same is hereby subject to provisions of

section 4, rule 26.

71	The East Tennessee, Virginia & Georgia Railroad Co., vs. Hamblen County.	Plff. in Error.	This cause was argued by Mr. George Brown, of counsel for the plaintiff in error, and submitted on printed argument by Mr. W. G. Hames, of counsel for the defendant in error.

72	Jotham Shepherd et al, vs. The schooner "Clara" &c.	Appellants.	This cause was argued by Mr. H. J. Scudder, of counsel for the appellants, and by Mr. R. D. Benedict, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday November 15th 1860.

Pursuant to adjournment the Court met
to-day at the Capitol

Present

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne — Associate Justices
Samuel F. Miller — Associate Justices
Stephen J. Field — Associate Justices
William Strong — Associate Justices
John M. Harlan — Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. F. P. Cuppy, it is ordered that Edward Chase Ingersoll Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter D. Davidge, it is ordered that James H. Peirce Esquire, of Albany,

State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on his behalf by Hon. Stanley Matthews, it is ordered that Charles P. Redmond, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

J. H. Rogers, Assignee, &c., Appellant.
vs.
Andrew Palmer, Jr.

This cause was argued by Mr. E. H. Rogers, of counsel for the appellant, and by Mr. Enoch Totten, of counsel for the appellee, and submitted on printed arguments by Mr. C. H. Davis, of counsel for the appellee.

75	Tipton County, vs. Plff in Error. The Rogers Locomotive & Machine Works.	On motion of Mr. Stanley Matthews, of counsel for the defendants in error, leave is hereby granted three counsel to be heard on behalf of the defendants in error, and that one hour additional time be allowed each side in the argument of the cases.
76	Tipton County, vs. Plff in Error. Norton, Slaughter & Co. And	
77	Tipton County, vs. Plff in Error. J. T. Edmunds & Co.	

75	Tipton County vs Plff in Error. The Rogers Locomotive & Machine Works	The argument of these cases was commenced by Mr. George Gantt, of counsel for the plaintiff in error.
76	Tipton County, vs. Plff in Error. Norton, Slaughter & Co. And	
77	Tipton County vs. Plff in Error J. T. Edmunds & Co.	

Proclamation being made the Court is adjourn-

Friday November 19th 1886

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Noah H. Swayne, Samuel F. Miller, Stephen J. Field, William Strong, John M. Harlan, Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Dipton County,
75 vs Aff. in Error.
The Rogers Locomotive & Machine Works.

Dipton County,
76 vs Aff. in Error.
Norton, Slaughter & Co. Ord

Dipton County,
77 vs Aff. in Error
J. T. Edmunds & Co

The argument of these cases was continued by Mr. H. S. Ellett, Mr. R. T. E. Hume and Mr. Stanley Matthews, of counsel for the defendants in Error, and concluded by Mr.

Friday November 19th 1886, continued

George Sankey of counsel for the plaintiff in error.

The Clifton Coal Co. vs. appellant. The Steamboat "Charles Brown" &c.	On motion of Mr. Stanley Matthews, leave is here by granted him to withdraw his appearance as counsel for the appellees in this cause

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Proclamation being made the Court is adjourned until Monday next at twelve o'clock

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Monday November 22nd 1880.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. William M. Springer, it is ordered that Van H. Higgins Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. C. F. Bell, it is ordered that George Bell Esquire, of New York

City, New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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47 The Pennsylvania Company, vs. Joseph D. Loy. Plaintiff in Error. In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, &c, and the same is hereby reversed with costs. And that this cause, &c, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Harlan.

51	Alexander Buchanan, vs. Plff. in Error, The City of Litchfield, Ills.	In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

Per Mr. Justice Harlan.

53	Joseph Sarpeau, vs. Dozier, Page & Company, James Dozier, Augustus Page, Louis V. Dozier & John F. Dozier.	Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the tran-

script of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Strong.

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48 The New Orleans, Mobile & Texas Railroad Co. et al, Appellants. vs. Henry Ellerman.

and now, to wit: Nov 22nd 1880, This Court ordered that this cause be re-argued upon the question whether, if it be assumed that the New Orleans, Mobile & Texas Railroad Company has no right in virtue of the Act of the Legislature approved March 6, 1869, to grant permission to vessels or steamships to land or moor at the wharves or levees for the space of three hundred and fifty feet below Calliope Street, except such vessels as are immediately connected with the trans-

ness of said Company an legitimate operating "R. railroad", either Henry Ellerman, the complainant, or the City of New Orleans, is a proper party complainant to a bill praying for an injunction to restrain any grant of such permission, and whether the State of Louisiana is not the only party entitled to institute proceedings to restrain such transgression of the rights conferred by the legislature.

The re argument to be by printed briefs filed on or before Dec. 20, 1880

per Mr. Justice Strong.

Charles B. Williams and James L. Ernest, partners as Williams & Ernest,
96 & U. S. 1877 25 Pltffs. in Error.
Jason N. Duffy, Admin-
istrator of George Duffy, dec'd.

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause having been heretofore argued by the counsel for the respective parties, and a judgment having been heretofore, to wit: On the 25th day of March, A.D. 1878, rendered

by this Court in favor of the said plaintiffs in error and Mandate issued, and it appearing from the petition of said plaintiffs in error, filed in this cause that the Supreme Court of Appeals of the State of Virginia, declines to enforce the Mandate of this Court in this cause,

It is, thereupon, now here ordered that said Mandate be recalled and canceled:

And it is further ordered and adjudged that the judgment of the Circuit Court of Rockingham County, Virginia, &c, and the same is hereby, in all things, reversed:

And this Court now proceeding to render the judgment that the said Circuit Court should have rendered, doth further order and adjudge that the said plaintiffs, Charles B. Williams and James C. Olmsted, partners as Williams & Olmsted, recover of and from the said defendant, Jason N. Duffy, as administrator of George Duffy, deceased, the sum of five hundred and twenty eight dollars and fifty-seven cents ($528 57/100,) with interest thereon from the 2nd day of April, A.D. 1866, until paid, at the same rate per annum that similar judgments bear in the

Courts of the State of Virginia. The amount of this judgment to be paid by the said defendant as Administrator out of the estate of the deceased Geo. Druffy, in like manner as other established claims against his estate.

And it is further ordered and adjudged that said plaintiffs have and recover of and from the said defendant as said Administrator, the further sum of one hundred and twenty four dollars and sixty-one cents ($124.61/100) for their costs herein expended.

per Mr. Justice Field.

The State of Louisiana Ex. rel. Morris Langer,		In Error to the Supreme Court of the State of Louisiana.
767	vs. Plaintiff in Error	
The City of New Orleans.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel — On consideration whereof It is now here ordered, adjudged and decreed by this Court that the decree of the said Su-

from Court in this cause, to, and the same is hereby affirmed with costs

per Mr. Justice Field

The Ivanhoe Mining Company,	In Error to the
637 vs Plaintiffs in Error	Circuit Court of
The Keystone Consolidated Mining Company.	the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, to, and the same is hereby affirmed with costs.

per Mr. Justice Miller.

(Mr. Justice Field took no part in the decision of this cause.)

Carl L. Reutnagel, Albrecht Fagenstecher & Rudolph Fagenstecher,
36 vs. Plffs. in Error
Thomas Murphy, late Collector of the Port of New York.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

Thomas Jenkins and James Jenkins, Junior,
5 vs. Appellants.
Addison Thatcher.

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

(Mr. Justice Strong took no part in the decision of this cause.)

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61 The Bank of Montreal vs. Plff. in Error.
George E. White.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judg-

ment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

	Albert Boudin et al.	Appeal from the
67	vs. Appellants.	Supreme Court
	Joseph Alexander et al.	of the District
		of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause so far as it charges the appellants with any sum for mesne profits and use and occupation, be, and the same is hereby reversed with costs. And that this cause, be, and the same is hereby remanded to the said Supreme Court for such further proceedings in accordance with the opinion of this Court as may appear to be necessary.

per Mr. Chief Justice Waite.

	The State Ex rel: The Southern Bank	Ordered by the Court that the motion to dismiss in
164	vs. Plff in Error.	
	Edward Pilsbury, Mayor, &c.	

this cause, be, and the same is hereby continued for hearing with the case on its merits

per Mr. Chief Justice Waite.

	Henry Haumstein et al.,	On consideration
133	of U.S. 1879 vs. Plff in Error.	of the motion
	John C. Lynham Exchr &c.	filed in this

cause to affirm the decree of this Court as to costs, It is ordered that said motion, be, and the same is hereby denied.

per Mr. Chief Justice Waite.

	The St Louis Smelting & Refining Company,	On motion of Mr. C. A. Bradford, ordered that the hearing of the petition in these cases, be, and the same is hereby postponed until Monday, the 29th instant.
736	vs. Plffs. in Error.	
	Thomas Rempstal.	
	And	
	The St Louis Smelting & Refining Company.	
737	vs. Plffs. in Error.	
	Sarah Raystal.	

	Herman Barthold and Albert Barthold,	Mr. C. A. Grimes, of counsel for the defendant in error, having filed in open Court the
1109	vs. Plffs. in Error	
	Charles McLaughlin.	

following certificate, to wit:

"In the Supreme Court of the State of California

Charles McLaughlin Respondent.	11711.
vs.	
Herman Barthold and Albert Barthold Appellants.	

I hereby certify that

Monday November 22nd 1880, continued

an appeal was taken to this Court from the District Court of the Third Judicial District of the State of California in and for the City and County of San Francisco, and the transcript was filed in this Court on the 21st day of Sept. 1875, that it was argued on behalf of Appellants on the 27th day of August, 1875, and judgment was affirmed from the Bench; that on the 11th day of September A.D. 1875, the Appellants sued out a writ of error and filed it in this Court and the same was allowed, and also filed citation and stipulation concerning bond, that on the 6th day of October, A.D. 1875, a copy of the record was delivered to the attorneys for the parties suing out the writ of error, and and since then nothing has been done in this Court.

Witness my hand and seal this
(Seal) 11th day of November 1880.
Frank M. Gross, Clerk,
by C. Harlan Deputy"

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, moved the

Court, in pursuance of the 9th rule, to have this writ of error docketed and dismissed — On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the State of California, be, and the same is hereby docketed and dismissed with costs: and that this cause, be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Taney.

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78 The County of Morgan Appellant
vs.
John Allen & Edwin L. Strowbridge, Survivors, &c.
And
John Allen & Edwin L. Strowbridge, Survivors, &c.
293 vs. Appellants.
The County of Morgan.

Mr. H. H. Campbell suggested the death of Edwin L. Strowbridge, one of the parties in these causes, and on his motion — It is ordered that the causes proceed in the name of John Allen, survivor of Aaron Arnold deceased, and Edwin L.

Trowbridge, deceased.

18	The County of Morgan, vs. John Allen, Survivor &c. and John Allen, Survivor &c. vs. The County of Morgan.	The argument of these cases was commenced by Mr. H. H. Campbell, of counsel for John Allen, Survivor, &c., and continued by Mr. William Brown of counsel for The County of Morgan.
293	Appellant. Appellant.	

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday November 23rd 1886

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne — Associate Justices
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

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77 — The County of Morgan, Appellant vs. John Allen, Survivor, &c. And John Allen, survivor, &c. Appellant vs. The County of Morgan

The argument of these causes was continued by Mr. William M. Springer, of counsel for the County of Morgan, and concluded by Mr. H. S. Greene, of counsel for John Allen, Survivor, &c.

293

78	The County of Morgan, vs. John Allen, Surviving &c. and John Allen, Surviving &c. vs. The County of Morgan.	Appellant. Appellant.	On motion of Mr. H. H. Campbell. leave is ordered to be granted him to file additional citations of authorities in these cases.

79	William Hereford et al. vs. Henry D. Davis, Sheriff &c.	Pffs. in Error.	This cause was argued by Mr. F. S. Key, of counsel for the plaintiffs in error, and by Mr. T. T. Crittenden, of counsel for the defendant in error.

80	The United States, vs. Willis H. Morris et al.	Pff in Error.	The argument of this cause was commenced by Mr. Solicitor General Phillips, of counsel for the plaintiff in error, and continued by Mr. H. J. Elliott, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday November 24th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
— Associate Justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

	The State ex rel: Morris Ranger.	On motion of Mr. Fox Maury, leave is this day granted the Clerk to issue
767	15 Pff. in Error.	
	The City of New Orleans.	

the Mandate in this cause.

	The United States,	The argument of this cause was continued
56	15. Pff. in Error.	by Mr. H. T. Elliott, of
	Miles K. Morris et al.	

counsel for the defendants in error, and concluded by Mr. Solicitor General Phillips, of counsel for the plaintiff in error.

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81 Charles R. Vinont, plaintiff in error, vs. Charles A. Judd. | This cause was argued by Mr. S. F. Wells, of counsel for the plaintiff in error. No counsel appearing for the appellee.

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83 Joseph S. Finch & Co. appellants, vs. The United States. | (substituted for No. 81) The argument of this cause was commenced by Mr Nathaniel Wilson, of counsel for the appellants, continued by Mr. Solicitor General Phillips, of counsel for the appellee, and concluded by Mr. Lewis Abrahams, of counsel for the appellant

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Proclamation being made the Court is adjourned until Monday next, at twelve o'clock.

Monday November 29th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne — Associate Justices
Samuel F. Miller — Associate Justices
Stephen J. Field — Associate Justices
William Strong — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger, it is ordered that George D. Reynolds Esquire, of St. Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Solomon Solomon, Samuel Solomon and Henry Solomon, vs. Plaintiffs in Error. Chester A. Arthur, Collector of the Port of New York.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs

per Mr. Justice Bradley.

The Goodyear Dental Vulcanite Company, vs. Appellant Charles G. Davis.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Strong

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77 Jotham Shepherd, Samuel E. Shepherd, Randall E. Jones & Oliver P. Shepherd v. The Schooner "Clara," her tackle &c, Samuel N. Hopkinson et al., claimants.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit

Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

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71 The Eastern Tennessee Virginia & Georgia Railroad Company vs. Plaintiffs in Error. Hamblen County. | In Error to the Supreme Court of the State of Tennessee

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite

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515 The City of Louisiana vs. Pfff in Error. Thomas J. Hood | In Error to the Circuit Court of the United States for the Eastern

District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Chief Justice Waite.

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736 The St. Louis Smelting & Refining Company, vs. Plff. in Error. Thomas Kemper et al.

And

737 The St. Louis Smelting & Refining Company, vs. Plff. in Error. Sarah Kay et al.

The petition of Sarah Kay et al, for leave to intervene in No 736 and for a rule to show cause why the stipulation to submit said cause

under the 21st rule should not be vacated and set aside was submitted to the consideration of the Court by Mr. J. H. Bradford and Mr. Willis Drummond, in support of the same and by Mr. C. F. Britton and Mr. Walter H. Smith, in opposition thereto.

The St. Louis Smelting & Refining Company, 136 vs. Plff. in Error. Thomas Kemp et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. G. G. Symes and Mr. C. F. Britton, of counsel for the plaintiff in error, and by Mr. T. T. Cuppy and Mr. C. C. Ingersoll, of counsel for the defendants in error, under the 20th Rule.

Thomas Stevens, 1116 vs. Plff. in Error. The First National Bank of Lawson, Illinois.	Mr. Walter H. Smith, of counsel for the defendant in error, having filed in open Court the

following certificate, to wit:

"United States Circuit Court

Monday November 24th 1880, continued

District of Iowa -

The First National Bank of Lacon, Ills. vs. Phineas Stevens. } No 3746 Law.

I, Edward R. Mason, Clerk of said Court do hereby certify that in the above entitled cause when pending in said Court wherein The First National Bank of Lacon, Illinois, was Plaintiff, and Phineas Stevens was defendant, at the October Term A.D. 1879, on the 13th day of November, 1879, judgment was rendered against Phineas Stevens in favor of The First National Bank of Lacon, Illinois. I further certify that on the 6th day of January, A.D. 1880, a writ of error was issued out of said Clerk's Office in the said cause, and on the 5th day of January 1880 the citation was signed and a Supersedeas bond filed on the 27th day of December, 1879.

Witness my hand and the seal of said Court at Des Moines in said District this 24th day of November, A.D. 1880

(Seal) E. R. Mason
Clerk

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, moved the Court, in pursuance of the 6th rule, to have this writ of error docketed and dismissed.

On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, to the Circuit Court of the United States for the District of Iowa, be, and the same is hereby docketed and dismissed with costs: And that this cause, be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite.

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14 The Clifton Coal Co. vs. The Steamboat Charlie Bowen &c

On motion of Mr. R. T. Merrick, leave is hereby granted him to withdraw his appearance as counsel for the appellant in this cause.

	The County of Wilson,	Mr. Joseph A.
551	vs. Plff. in Error.	Fowler, of coun-
	The Third National	sel for the plain-
	Bank of Nashville, Tenn.	tiff in error,

having filed in open Court a suggestion of a diminution of the record in this cause in the words and figures following, towit: On page 36th of the record as printed the last word, in the first paragraph of the charge of the Judge of the Circuit Court, is "defendant" and it should be "plaintiff".

By reason of which omission and error aforesaid the said counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the Middle District of Tennessee, commanding them that searching the record and proceedings of said Court in this cause they shall certify to this Court under the seal of said Circuit Court a copy of the charge of the Judge in the said cause — On consideration whereof, It is now here ordered by this Court that a writ of Certiorari, &c, and the same is hereby awarded to be issued forthwith;

and to be directed to the judges of the Circuit Court of the United States for the Middle District of Tennessee commanding them that searching the record and proceedings aforesaid they certify to this Court under the seal of the said Circuit Court a copy of the charge of the judge in the said cause mentioned, and return the same with the said writ of certiorari forthwith to this Court.

per Mr. Chief Justice Waite.

178	James M. Shoemaker et al, Plffs. in Error. vs. John Fillmore, and Samuel S. Brown et al, Plffs. in Error. vs. John N. Davidson et al.	On motion of Mr. Fillmore Beall, leave is hereby granted the Clerk to issue the Mandate in these cases.
379		

1019	George Hayes, Plff. in Error. vs. Valentine Fischer.	Mr. Fillmore Beall, on behalf of counsel for the defendant in error, moved the Court for an order granting leave to the Clerk to

issue the Mandate in this cause which was opposed by Mr. J. A. Whitelegge, of counsel for the plaintiff in error. On consideration whereof, it is ordered by the Court that leave be, and the same is hereby granted the Clerk to issue the Mandate in this cause.

735	George H. Hill, Plff. in Error. vs. Geo. F. Harding et al.	The motion to dismiss this cause was submitted to the consideration of

the Court on the record and printed arguments by Mr. Adolph Moses in support of the same and by Mr. George H. Brandt, in opposition thereto.

735	George H. Hill, Plff. in Error vs. Geo. F. Harding et al.	The motion to substitute Enoch H. Hooke, Assignee in bankruptcy of Geo.

H. Hill, as plaintiff in error, in this cause, was submitted to the consideration of the Court on printed arguments by Mr. George H. Brandt in support of the same and by Mr. Adolph Moses, in opposition thereto.

178	John H. Stairn, vs. The Schooner "Jesse Williamson Jr." &c.	Appellant.	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. H. J. Scudder in support of the same, and by Mr. R. D. Benedict in opposition thereto.

82	Robert C. Wade, vs. The United States.	Appellant.	The argument of this cause was commenced by Mr. J. J. Reed, of counsel for the appellant, continued by Mr. Assistant Attorney General Smith, of counsel for the appellee, and concluded by Mr. W. H. Carpenter, of counsel for the appellant.

78	The County of Morgan, vs. John Kelly, Survivor, &c.	Appellant.
	and	
293	John Kelly, Survivor, &c. vs. The County of Morgan.	Appellant.

On motion of Mr. H. M. Springer, of counsel for the County of Morgan, leave is hereby granted him to file additional brief in this cause; said

brief to be filed on or before Thursday next, with leave to counsel for John Allen, survivor &c., to file reply thereto on or before December 9th.

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111 The Clifton Coal Company, Appellant.
vs.
The Steamboat "Charley Bowen" &c., Frederick Ford, Alonzo W. Thilson, Charles T. Latham & Wm B. Thilson, owners.

Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia — On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal, be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite.

Monday November 29th 1880, continued

	The Steamboat "Sabine" &c.	This cause
15	vs. Appellants.	was argued
	The Steamboat "Richmond" &c.	by Mr. Simon
		Campbell, of

counsel for the appellees, and submitted on printed arguments by Mr. Denison Egan, Mr. R. H. Marr, and Mr. C. B. Singleton, of counsel for the appellants.

	James S. Clark & Co.,	The argument of
16	vs. Appellants.	this cause was com-
	The United States.	menced by Mr. J.
		J. Reed, of counsel

for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday November 30th 1880

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
— Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

No. James S. Clark & Co., Appellants. vs. The United States.

The argument of this cause was continued by Mr. Jno. J. Reed, of counsel for the appellants, by Mr. Solicitor General Phillips, of counsel for the appellee, and concluded by Mr. Samuel Shellabarger, of counsel for the appellants

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87 | Thomas L. McElrath, Appellant. vs. The United States. | This cause was argued by Mr. Frank H. Hooker, of counsel for the appellant, and by Mr. Attorney General Devens, of counsel for the appellee.

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88 | James S. Hills, Appellant. vs. Kiefer, Lichmastal. | This cause was argued by Mr. J. H. Stone, of counsel for the appellees, and submitted on printed argument by Mr. Alfred Russell, of counsel for the appellant.

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90 | Henry Kaiser et ux., Appellants. vs. Eo. H. Starkey et al. | The argument of this cause was commenced by Mr. Wm. L. Woods, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 1st 1880

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan

— Associate Justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation having been made the Court is opened.

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10 John M. Dunting
vs. Plff. in Error
The Board of Commissioners of Wake County.

In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and it appearing to the Court that this is the second term at which this case has been called for

argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the plaintiff in error, pursuant to the 19th rule of this Court. Whereupon, It is now here ordered and adjudged by this Court that this cause, be, and the same is hereby dismissed with costs. And that this cause, be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Taney.

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90 Henry Kaiser et ux vs. Appellants.
Leo H. Stickney et al.

The argument of this cause was continued by Mr. Wilkes L. Woods, and Mrs. Belva A. Lockwood, of counsel for the appellants. No argument on the part of the appellees being desired by the Court.

Wednesday December 1st 1830, continued

91	Joseph Swift et al., vs Janet Smith, Admx, &c.	Appellants.

The argument of this cause was commenced by Mr. W. C. Goudy, of counsel for the appellants, and continued by Mr. Van H. Higgins & Mr. H. T. Burgess, of counsel for the appellees, and by Mr. Goudy, for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, December 2nd 1886.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices.

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened,

102

Isadore Heman and Solomon Swenger, Appellants.
vs.
Irving M. Bean, Collector of Internal Revenue and William Buckley, Deputy Collector.

Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Eastern District of Wisconsin, and on the stipulation of counsel on file and motion of Mr. Solicitor General Phillips, of counsel for the appellees, It is now here ordered adjudged and decreed by this Court that this appeal, be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

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91 Joseph Swift et al., vs. Appellants. Janet Smith, Admx &c. | The argument of this cause was concluded by Mr. H. C. Goudy, of counsel for the appellants.

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92 The Life Association of America, vs. Plff. in Error. Telitia V. Wilson. | On motion of Mr. E. T. Parish, of counsel for the defendant in error, and consent of counsel for the plaintiff in error, It is ordered that William D. Reitz, Superintendent of the Insurance Department of the State of Missouri, be, and he is hereby substituted for the Life Association of America as

plaintiff in error in this cause with liberty to prosecute this writ of error.

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92 William A. Reife, Superintendent of the Insurance Dep't of Missouri, substituted &c. vs. Deft. in Error
Letitia C. Wilson.

This cause was argued by Mr George D. Reynolds, of counsel for the plaintiff in error, and by Mr E. T. Farish of counsel for the defendant in error

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93 The New Haven & Northampton Company, vs. Deft. in Error
William Hamersley

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Chas. E. Perkins and Mr. R. D. Hubbard, of counsel for the plaintiff in error, with leave to counsel for both sides to file additional briefs on or before January 1st 1881.

94	Charles McLaughlin vs. J. M. Fowler and Charles McLaughlin vs. Edward Thorpe.	Pltff. in Error. Pltff. in Error.	These cases were argued by Mr. H. F. Garnett, of counsel for the plaintiff in error. No counsel appearing for the defendants in error

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96	W. B. & D. M. Daniels vs. Edward Kearney et al., Executors, &c. and W. B. & D. M. Daniels vs. Edward Kearney et al, Executors, &c.	Pltffs. in Error. Pltffs. in Error.	The argument of these cases was commenced by Mr. D. B. Lucas, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday December 3rd 1880.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
— Associate Justices

John F. T. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The County of Benton, vs. Pltf. in Error.
James F. Shores.

117

Mr. J. D. Shannon, of counsel for the defendant in error, suggested the death of James F. Shores, the defendant in error in this cause, and moved the Court for leave to substitute as parties defendants in error, William H. Rollins and Foster Shores, Trustees of the estate of said James F. Shores, deceased, Thereupon, It is now here ordered that Wil-

Liam H. Rollins and Foster Shores, Trustees of the estate of James F. Shores, deceased, as aforesaid, be, and they are hereby entered and made the parties defendants in error in this cause in place of said James F. Shores, deceased, with liberty to reassert this writ of error.

978	William Ashburner, vs. Plff. in Error. The People of the State of California.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Clifford Barston, of counsel for the plaintiff in error, and by Mr. J. H. McKune, and Mr. W. P. Catlin, of counsel for the defendants in error, under the 20th Rule.

96	H. H. & L. Mc. Daniels vs. Plffs. in Error. Edwd Learmyst al Exrs, &c.	The argument of these causes was continued by Mr. C. J. Faulkner, of counsel for the defendants in error, and concluded by Mr. Daniel E. Lucas.
97	And H. H. & L. Mc. Daniels vs. Plffs in Error Edwd Learmyst al, Exrs, &c.	

of counsel for the plaintiffs in error

	William Denison et al, Commissioners, &c.	The motion to dismiss this
91	vs. Appellants	cause was sub-
	Columbus Alexander.	mitted to the
		consideration

of the Court on the record and printed arguments by Mr. Joseph S. Stewart, in support of the same, and by Mr. C. S. Liddle and Mr. W. B. Cook in opposition thereto.

	The County of Lucede in the State of Missouri,	Appeal from the Circuit
92	vs. Appellant.	Court of the
	Howard Darlington.	United States
		for the Western

District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and on the authority of counsel for the appellant on file, It is now here ordered, adjudged and decreed by this Court

that this appeal, &c, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

	The County of Laclede in the State of Missouri	In Error to the Circuit Court of the United States for the Western District of Mis-
100	vs. Pff in Error.	
	Howard Darlington.	

souri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and on the authority of counsel for the plaintiff in error on file, It is now here ordered and adjudged by this Court that the writ of error in this cause, &c, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

	Theordore Hawley	This cause was
101	vs. Pff in Error.	submitted to the
	S. H. Upton, assignee, &c.	consideration of the Court on the

record and printed arguments by Mr. Talcott Parsons, of counsel for the plaintiff in error, and by Mr. C. C. Moore, of counsel for the defendant in error.

	The Banking House of Bartholow, Lewis & Co.	On motion of Mr. J. V. Shannon, of counsel for the plaintiff, Ordered that this cause, be, and the same is hereby passed sub-
109	vs. Pltff.	
	The Trustees of Schools of Township No 4 S, R 5 W, Randolph County.	

ject to provisions of Section 7, rule 21.

	Wm. A. Walker, assignee, &c,	Ordered that this cause, be, and the same is hereby pass
110	vs. Appellant.	
	Joseph F. Wister et al.	

ed for the present.

	Richard S. Kryor,	This cause was submi
111	vs. Pltf. in Error.	tted to the considera
	Horace S. Johnston.	tion of the Court on

the record and print- ed arguments by Mr. T. Cox Mellon, of counsel

for the plaintiff in error, with leave to Mr. C. S. Wade, of counsel for the defendant in error, to file brief.

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112 Samuel J. Canahan vs. Jas. E. & Clara Sears, Appellant.

This cause was argued by Mr. Bernard Carter, of counsel for the appellant, and submitted on printed argument filed by the late Babe Peyton as counsel for the appellees.

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113 The City of Helena vs. The Municipal Trust, Def. in Error.

In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and on the authority of counsel for the plaintiff in error on file, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby dismissed with costs.

Proclamation this day made the Court is adjourned until Monday next at twelve o'clock

Monday December 6th 1880

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite — Chief Justice.
Noah H. Swayne — Samuel F. Miller — Stephen J. Field — William Strong — Joseph P. Bradley — John M. Harlan — Associate Justices.

John F. Nicolay Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney Genl Devens, it is ordered that John Carson Esquire, of Baltimore, State of Maryland, and Robert Dickson Smith Esquire, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were severally accordingly.

On motion first made to the Court on this

behalf by Mr. Willard D. Hall, it is ordered that J. C. Merryman Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Hallett Phillips, it is ordered that Thomas Ryan Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. D. A. Hill, it is ordered that Julius L. Brown Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Samuel Hullabarger, it is ordered that J. C. Denny Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of

this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that Charles C. Mayer Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

185	Addison C. Fletcher vs. Marshall B. Blake.	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel — On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

79 William Hereford and James H. Lewis, vs. Henry H. Davis, Sheriff of Charlton County, suing to the use of the Jackson & Sharp Company

In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby reversed with costs: And that this cause, be, and the same is hereby remanded to the said Circuit Court with instructions to enter judgment on the special findings of facts in favor of the defendants below.

Per Mr. Justice Strong

Dissenting:
Mr. Justice Bradley.

Monday December 6th 1880, continued

Josiah H. Rogers, Assignee of Andrew Palmer Jr., a bankrupt,		Appeal from the Circuit Court of the United States for the Dis-
111	U.S. Appellant.	
Andrew Palmer, Senior.		

trict of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged and decreed by this Court that the decree of the said Circuit in this cause, be, and the same is hereby reversed with costs: And that this cause, be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree for the complainant in conformity with the opinion of this Court.

Per Mr. Justice Miller.

Dissenting:
Mr. Justice Field.

Joseph S. Finch and John H. Painter, partners under the firm of Joseph S. Finch & Co. vs. The United States.	Appeal from Court of Claims.

83 Appellant.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

per Mr. justice Swayne

Davis R. Doggett, Jesse L. Doggett, Rufus Randall and John D. Rowlan, vs. The New York Life Insurance Company.	In Error to the Circuit Court of the United States for the Eastern District of Missouri.

49 Plaintiffs in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern Dis-

trict of Missouri and was argued by counsel— On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Chief Justice Taney.

The Steamship "Genesee" her engine &c., The New York & Philadelphia Steamship Company— Claimant.

vs.

William H. Mount, Adam Partridge, et al

Appellant.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel— On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this

cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

Charles L. Vinent vs. Charles D. Judd	11	Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

cousin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite

519	C. J. Hentig vs. Appellant. H. J. Page, Receiver, &c. and S. F. Simpson, U.S. Marshal for the District of Kansas.	Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel - On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal, be, and the same is hereby dismissed for want of jurisdiction.

per Mr. Chief Justice Waite.

536	The St. Louis Smelting & Refining Company, vs. Plff. in Error. Thomas Kemp et al.	On consideration of the motion to set aside the sub- mission of this cause under the

6th rule - It is ordered that said submission, be, and the same is hereby, vacated and set aside, and the cause restored to its place

on the docket.

per Mr. Chief Justice Taney.

735	George H. Hill vs. Riff in Error. Geo. F. Harding, et al.	On consideration of the motion to dismiss this cause and the substitute Enoch C. Hooke, Assignee, in bankruptcy of George H. Hill, as plaintiff in error in this cause It is ordered that said motions be, and the same are hereby denied; but leave is hereby granted the said Assignee to be heard by counsel on the argument of this cause on the merits as to all questions affecting the estate of the bankrupt.

per Mr. Chief Justice Taney.

778	John H. Haven, vs Appellant. The Schooner "Jesse Williamson jr." &c.	On consideration of the motion to dismiss this cause, It is ordered that the further consideration of the said motion, be and the same is hereby postponed until the hearing on the merits.

per Mr. Chief Justice Taney.

Ex parte In the matter of William S. Shaver, Petitioner.

Mr. J. Holdsworth Gordon, of counsel for the petitioner, submitted to the consideration of the Court, motion for leave to file Petition for a rule on Hon. John Jackson, Judge of the District Court of the United States for the District of West Virginia, to show cause why a Writ of Mandamus should not issue.

The Northern Pacific R. R. Co. vs. Pfff in Error. Johnston Nelson. 111

On motion of Mr. George H. King, of counsel for the plaintiff in error, leave is hereby granted to obtain from one of the Judges of the Circuit Court of the United States for the District of Minnesota, a new Citation in this cause, returnable on the first Monday of March 1881.

Catharine Hall et al. vs. Appellants. William H. Law. 114

This cause was submitted to the consideration of the Court on the record and

printed arguments by Mr. O. H. Marsh and Mr. H. Denny of counsel for the appellants, and by Mr. Orsa Sylvester and Mr. J. C. Sylvester, of counsel for the appellee.

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115 John C. Henderson vs. Plff. in Error
David F. Syme

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute his writ of error, and failing to appear - It is, therefore, in pursuance of the 16th rule of this Court, and on motion of Mr. Conway Robinson, of counsel for the defendant in error, now here ordered and adjudged by this Court that this cause be, and the same is hereby dismissed with costs: And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

119	Sarah A. Pennock et al., Plffs in Error vs. The Board of Commissioners of Franklin County et al	This cause was argued by Mr. Thomas Ryan, of counsel for the plaintiffs in error. No counsel appearing for the defendants in error.

120	John A. Bellen, Admr, &c., Plff in Error vs. The City of Louisiana.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. T. Glover and Mr. J. R. Shipley, of counsel for the plaintiff in error, and by Mr. James D. Broadhead, of counsel for the defendant in error.

121	David A. Price Appellant vs. James C. Kelly.	Ordered by the Court that this cause, be, and the same is hereby continued until the next term.

122	John A. Martin vs. Plff. in Error. Luther vs. Cole.	Ordered by the Court that this cause, be, and the same is hereby continued until the next term.

123	The Royal Insurance Co. of Liverpool vs. Plff. in Error. William S. Hinson	Ordered by the Court that this cause, be, and the same is hereby passed until to morrow.

124	The United States vs. Appellant. Dominga S. Wetherton & ot. & Thegan, Executrix & Executors of S. D. Wetherton, deceased.	This cause was argued by Mr. J. R. Ridgely, of counsel for the appellants & no counsel appearing for the appellees.

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539 The United States Ex rel.
The Citizens Bank of La.,
vs. Pff in Error.
Jno. J. Knox, Comptrol-
ler of the Currency.

This cause was argued by Mr. J. J. Durant, of counsel for the plaintiff in error, and by Mr. Charles Case, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 7th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger, it is ordered that W. L. Parkinson, Esquire of Ottawa, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he has sworn accordingly

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On motion first made to the Court in this behalf by Mr. Nathaniel Myers, it is ordered that Melville A. Regensburger, Esquire, of

New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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110 Wm. A. Walker, assignee &c., appellant. vs. Joseph A. Reisler et al.

This cause was argued by Mr. Nathaniel Myers, of counsel for the appellant, and by Mr. James D. Broadhead, of counsel for the appellees.

1086 The Lake Shore & Michigan Southern Railway Co., appellant. vs. The National Car Brake Shoe Company.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George Payson, of counsel for the appellant, and by Mr. Ephraim Banning and Mr. L. C. Banning, of counsel for the appellee, under the 30th rule.

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123 The Royal Insurance Co. of Liverpool vs. Plff. in Error. William S. Stinson.

The argument of this cause was commenced by Mr. Charles Theodore Russell jr. of counsel for the plaintiff in error, and continued by Mr. R. D. Smith, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 8th 1880

Pursuant to adjournment the Court met to-day at the Capital

Present.

The Honorable Morrison R. Waite Chief Justice
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court on this 1st day of the Term. Hon. Wm Pinckney Whyte, it is ordered that Geo. H. Pillsbury, Esquire, of the State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

125	James H. Ogden, Plff. in Error. vs. The County of Davies	On motion of Mr. B. H. Bristow, and consent of Mr. Hall

Lard Hall of counsel for the defendant in error, leave is hereby granted him to file a brief in this cause.

	Sarah A. Pennock et al	On motion of
119	vs. Plffs in Error	Mr. H. L. Far
	The Board of Commissioners	riman of coun
	of Franklin County et al.	sel for the de
		fendants in

error, and on consent of counsel for the plaintiffs in error on file, leave is hereby granted them to file brief in this cause.

	Alfred D. Mullett,	In Error to the Su
130	vs. Plff in Error.	preme Court of the
	Frank G. Fenwick.	District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on motion of Mr. R. S. Hussey, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed - Each party paying their own costs in this

Court:

per Mr. Chief Justice Waite.

126	The County of Mobile vs. Appellant. Seth A. Kimball et al.	On motion of Mr. Mike L. Woods, in behalf of counsel, ordered that this cause be, and the same is hereby passed until Monday next, when it will stand at foot of the call for that day.

173	William Beeson, vs. Plff. in Error. J. A. Harrington et al.	On motion of Mr. W. St. Maury, on behalf of counsel for the defendants in error; and consent of Mr. R. T. Merrick, of counsel for the plaintiff in error leave is hereby granted the Clerk to issue the Mandate in this cause.

123	The Royal Insurance Co. of Liverpool, vs. Plff. in Error. William B. Hinson.	The argument of this cause was continued by Mr. R. D. Smith, of counsel for-

the defendant in error, and concluded by Mr. Charles Theodore Russell, of counsel for the plaintiff in error.

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125 Josiah D. Whitney
vs. Plff. in Error.
The First National
Bank of Brattleboro'.

This cause was argued by Mr. C. H. Davenport, of counsel for the plaintiff in error, and by Mr. E. J. Phelps, of counsel for the defendant in error.

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127 James S. Trimble
vs. Appellant.
Joshua and Ann
Woodhead.

This cause was submitted to the consideration of the Court on the record and leave granted counsel on both sides to file printed arguments on or before January 1st 1881

Wednesday December 8th 1880, continued

178	James H. Ogden vs. Plff in Error The County of Davies.	The argument of this cause was commenced by Mr. J. E. Herriman of counsel for the plaintiff in error, and continued by Mr. Willard P. Hall, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 9th 1880

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Hilliard T. Hall, it is ordered that Henry N. Ess, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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178 James H. Ogden vs. Blair in Error. The County of Daviess.

The argument of this cause was continued by Mr. Hilliard T.

Thursday December 9th 1880, continued

Hall, of counsel for the defendant in error, and concluded by Mr. J. C. Merryman, of counsel for the plaintiff in error.

The Buffalo & Jamestown R. R. Company et al., Plff. in Error.
19 vs.
Patrick Falconer et al.

and

The Buffalo & Jamestown R. R. Company, Plff. in Error.
129 vs.
Walter J. Hicks et al.

The argument of these cases was commenced by Mr. R. D. Merrick, of counsel for the plaintiffs in error, continued by Mr. C. N. Potter, of counsel for the defendants in error in No. 129, and by Mr. R. D. Marvin, of counsel for the defendants in error in No. 89.

Proclamation being made, the Court is adjourned until tomorrow at twelve o'clock.

Friday December 10th 1880.

Pursuant to adjournment the Court met to-day at the Capitol

Present-

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
— Associate Justices

John G. Nicolay, Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court on behalf of Mr. H. F. Sapp, it is ordered that F. D. Hart Esquire, of Council Bluffs, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr Henry N. Ess, it is ordered that Francis M. Black Esquire, of Kansas City,

State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Reagan, it is ordered that Sydney E. Hill Esquire, of Marshall, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. K. Valentine, it is ordered that John L. Webster and H. J. Connell, Esquires, of Omaha, State of Nebraska, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith, it is ordered that Gilbert D. Merrick, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court.

Friday December 11th 1885, continued

Peabody Coal & Mining Company,	In Error to the Circuit Court of the United States for the Eastern District of Missouri.
1123 vs. Plff. in Error	
The Continental Bank of St. Louis	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and on the motion of Mr. Fillmore Beall, of counsel for the plaintiff in error, and authorities on file. It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and and the same is hereby dismissed with costs per Mr. Chief Justice Waite.

84	The Buffalo & Jamestown Railroad Co. et al. vs. Pltff. in Error. Patrick Falconer et al.	The argument of these cases was continued by Mr. R. D. Marvin, of counsel for the defendants in error in No 84, and concluded by Mr. R. T. Merrick, of counsel for the plaintiffs in error.
129	And The Buffalo & Jamestown Railroad Company, vs. Pltff. in Error. Walter J. Hicks et al.	

145	The Third National Bank of New York City vs. Pltff. in Error. The Illinois National Bank of Georgetown, Col.	On motion of Mr. S. V. White, on the part of counsel for the plaintiff in error, and consent of counsel for the defendant in error, ordered that this cause be passed to be argued with No. 155 as one case.

131	James Densmore et al, vs. Appellants. Wm. C. Scofield et al.	The argument of this cause was commenced by Mr. J. C.

Clayton, of counsel for the appellants, continued by Mr. George Harding, of counsel for the appellees, and concluded by Mr. A. Harding, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 13th 1880

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
Associate Justices

John G. Nicolay Esquire, Marshal
James M. McKenney Clerk

Proclamation being made the Court is opened.

On motion first made to the Court and thereupon by Mr. Attorney General Devens, it is ordered that Solomon Lincoln jr. Esquire of Salem, Archibald M. Howe Esquire of Cambridge, State of Massachusetts, and Samuel A. Clark, Esquire of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in that

behalf by Hon. J. K. McDonald, it is ordered that F. H. Cicle Esquire, of Cincinnati, State of Indiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. C. A. Garland, it is ordered that H. F. Mendinson, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. of L. Maury, it is ordered that Jas. D. McCabe Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

57	Thomas L. McGhath vs. The United States.	Appeal from the Court of Claims Appellant.

This cause came on to be heard on the tran-

transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby affirmed.

per Mr. Justice Harlan

#1	The Swan Turbine and Manufacturing Company, vs. Appellant. James C. Ladd	Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Bradley.

91

Joseph Swift, Edwin Swift, Elizabeth Carroll and Ellen Carroll,
vs. Appellants.
Janet Smith, administratrix of David Smith, deceased.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause, be, and the same is hereby remanded to the said Circuit Court, with instructions to enter a decree in accordance with the opinion of this Court.

per Mr. Justice Strong.

112 | Samuel J. Lanahan, Appellant. vs. James E. Sears and Clara Sears, his wife. | Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, &c, and the same is hereby affirmed with costs.

per Mr. Justice Field.

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107 | The United States Ex rel. Thomas M. Bride, vs. Carl Schurz, Secretary of the Interior. Plff in Error. | In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court

of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby reversed: And that this cause, be, and the same is hereby remanded to the said Supreme Court with instructions to issue the writ of mandamus.

per Mr. Justice Miller.

Dissenting:
Mr Chief Justice Waite
Mr. Justice Swayne.

96

William D. Daniels and Dennis M. Daniels, vs. Edward Kearney and William L. Wilson Executors of Colin C. Porter, deceased.	In Error to the Circuit Court of Jefferson County, State of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of Jefferson County, State of West Virginia, and was argued by the record and proceedings

upon a remittitur from the Supreme Court of Appeals of West Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court of Jefferson County, in this cause, be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of West Virginia.

per Mr. Justice Swayne.

William D. Daniels and Dennis M. Daniels,		In Error to the Circuit Court of Jefferson County, State of West Virginia.
97 vs.	Pffs. in Error.	
Edward Kearney and William L. Hilton, Executors of Colin C. Porter, dec'd.		

This cause came on to be heard on the transcript of the record from the Circuit Court of Jefferson County, State of West Virginia, being processed of the record and proceedings upon a remittitur from the Supreme Court of Appeals of West Virginia, and was argued

by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court of Jefferson County in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of West Virginia.

per Mr. Justice Swayne.

17	Robert Cornell White, appellant vs. The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Chief Justice Waite.

Monday December 13th 1841, continued

	The Steamboat "Sabine" &c., Pierre S. Kilty, public administrator of Sarah C. Shirley decd, Amelia D. Selden et al.	Appeal from the Circuit Court of the United States for the District of Louisiana.
35	vs.	
	The Steamboat "Richmond", &c, Nathaniel S. Green, John H. Dejernett et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, &c, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of Louisiana.

per Mr Chief Justice Taney.

86	James S. Clark & Edward Hutton, partners as J. S. Clark & Company, vs. The United States. Appellants.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

per Mr. Chief Justice Waite.

18	James G. Hibbs, vs. Appellant, Thirza Bishop, S. D. H. Van Raalte, John Van Haar, Dirk Miedema, John Voost, Edward J. Harrington and J. Van Schelvan.	Appeal from the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and five hundred dollars damages.

for Mr Chief Justice Waite

Henry Kaiser and wife Caroline Kaiser,

90 vs. appellants.

Georg H. Hickey, Surviving Trustee, and John C. J. Creswell, Robert Purvis, and Robert H. T. Wyvill, Commissioners of the Freedmans Savings & Trust Co.

appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause, be, and the same is hereby

affirmed with costs.

per Mr. Chief Justice Waite.

Charles McLaughlin	In Error to the Su-
94 vs Plffin Error.	preme Court of the
J. M. Fowler	State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

Charles McLaughlin	In Error to the Su-
95 vs Plffin Error	preme Court of the
Edward Thorpe	State of California

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It

is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

William Dennison et al., Commissioners of the District of Columbia, and The First National Bank of the City of New York.
vs. Appellants.
Columbus Alexander.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the motion to dismiss which was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed, each party paying their own costs in this Court.

per Mr. Chief Justice Waite.

101	Theodore Hamby, vs. Aff. in Error. C. H. Upton, Assignee of the Great Western Insurance Company, a bankrupt.	In Error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Iowa.

per Mr. Chief Justice Waite.

111	Richard S. Leyer, vs. Aff. in Error. Horace S. Johnston.	In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the

transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, &c, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

Elmer Meriwether, Receiver &c. of the City of Memphis et al, Appellants
575 vs.
Robert Garrett & Sons et al.

Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, &c, and the same is hereby reversed with costs: And that this cause, &c, and the same is hereby

remanded to the said Circuit Court with instructions to dismiss the bills without prejudice.

per Mr. Chief Justice Waite

Dissenting:
Mr. Justice Strong
" " Swayne
" " Harlan

Mr. Justice Field delivered a separate opinion concurred in by Mr. Justice Miller and Mr. Justice Bradley.

1086 The Lake Shore & Michigan Southern Railway Co., Appellant. vs. The National Car Brake Shoe Company.

Ordered by the Court that the submission of this cause under the 20th rule be vacated and set aside and the cause restored to its place on the docket

per Mr. Chief Justice Waite.

Ex parte In the matter of William T. Thayer, Petitioner. | On consideration of the petition for a Rule to show cause why a Writ of Mandamus should not issue as prayed. It is ordered that said petition, be, and the same is hereby denied

for Mr. Chief Justice Waite.

1040 The United States, Plaintiff vs. James H. Britton

1041 " " " " " " " "

1042 " " " " " Edward P. Curtis

1043 " " " " " J. H. Britton & B. Bates

1044 " " " " " " " " "

1045 " " " " " " " " "

Mr. Attorney General Devens, of counsel for the plaintiff, filed and submitted to the consideration of the Court, motion to advance these cases.

1110 The United States vs. James Hamilton. Plaintiff | Mr. Attorney General Devens, of counsel for the plaintiff filed and submitted to the considera-

tion of the Court, motion to advance this cause.

1111 Richard A. Parkinson vs. Plff. in Error. The United States

and

112 The United States vs. Plaintiffs Edwd P. Hale & Thos. S. Hel- son.

Mr. Attorney Gene- ral Devens, of coun- sel for The United States, filed and sub- mitted to the consid- eration of the Court, motion to advance these cases.

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187 Edward M. Edwards vs. Plff. in Error. The U. S. Ex rel. Wil- liam F. Thompson

The motion to dis- miss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. K. Stone, in support of the same, and by Mr. A. F. Severns, in opposition thereto.

1089 Calvin Claflin et al. vs. Appellants. The South Carolina Railroad Company et al.

} Appeal from the Circuit Court of the United States for the District

of South Carolina.

On motion of Mr. D. H. Chamberlain, of counsel for the appellants, and consent of counsel for the respective parties, It is ordered that the Receiver do pay out of the earnings of the South Carolina Railroad Company the interest to become due on the first day of January eighteen hundred and eighty one on the matured bonds of the Louisville, Cincinnati and Charleston Railroad Company guaranteed by the State of South Carolina; and the coupons maturing on the first day of January 1881 on bonds of the South Carolina Railroad Company guaranteed by the State of South Carolina; and the coupons maturing on the first day of January 1881 on the bonds of the South Carolina Railroad Company secured by the deed of trust dated the first day of July 1865 and known as the first mortgage; and the interest due on the first day of January 1881 on the matured bonds of the South Carolina Railroad Company secured by the said deed dated the first day of July eighteen hundred and sixty eight and

known as the first mortgage.

And the said receiver is hereby authorized to pay at the banking house of Messrs. Baring Bros. & Co., the interest and coupons of such of the bonds as by their terms are payable in London and presented there; and the said receiver is authorized to pay the usual commissions to such agent or agents as he may appoint to make such payments.

And upon the payment hereby ordered on all matured bonds the receiver shall require said bonds to be presented and to have endorsed thereon the amount of interest paid and he shall also require from all of the persons holding said bonds or waiving the interest thereon a proper voucher in duplicate for the same.

And that the amounts paid upon bonds held in pledge shall be credited upon the evidence of indebtedness for which they are held as collaterals.

This order to be without prejudice to the rights of any of the parties on the final hearing.

per Mr. Chief Justice Hall

1089 Calvin Claflin et al. vs. The South Carolina Railroad Company et al. } Appeal from the Circuit Court of the United States for the District of South Carolina.

The Court having this day made an order directing the receiver of the property of the South Carolina Railroad Company, appointed in the above stated case, to pay the interest on certain bonds of said Company accruing on the first day of January 1881, said bonds being prior in rank of liens to the bonds represented by the appellants, it being impossible to obtain such order from the Circuit Court in time to pay said interest when it shall be due, It is hereby ordered that hereafter applications for similar orders be made to and granted by the said Circuit Court for the District of South Carolina upon proper showing.

Per Mr. Chief Justice Waite

545	Elmer Merimether, Receiver &c. vs. Robert Garrett & Sons et al. Appellant.	On motion of Mr. Geo. G. Wright, leave is here by granted the Clerk to issue the Mandate in this cause.

44	James Hall vs. The State of Wisconsin Plff in Error	On motion of Mr. E. A. Smith, leave is hereby granted the Clerk to issue Mandate in this cause.

150	Alfred T. Cohen and Henry Gibbons, vs. The United States Appellants	On motion of Mr. Assistant Attorney General Smith, leave is hereby granted the Clerk to issue the Mandate in this cause.

1136	Callaway County in the State of Missouri vs. Nimrod Long Plff in Error	Mr. Fillmore Beall, of counsel for the defendant in error, having

filed in open Court the following certificate, to wit:

United States of America
Eastern Division of the
Western District of Missouri } Set.

In the Circuit Court of the United States for the Eastern Division of the Western District of Missouri.

Nimrod Long
against
Callaway County in the State of Missouri } Case No. 260.

In the matter of the petition to quash execution.

Be it remembered that heretofore to wit, at the November Term of said Court, A.D. 1879, on the 5th day of January, A.D. 1880, in the above entitled cause, by the judgment and order of said Court, it was determined that the execution issued in said cause on the 29th day of October, 1879, had been rightly and properly issued, and it was ordered that it be enforced; that the petition to quash the same be dismissed, and that the plaintiff recover from the defendant his costs.

Afterwards on the 16th day of February,

A.D. 1880, said defendant Callaway County issued out a writ of error to reverse the judgment aforesaid, and said writ was allowed on said last named day by the Honorable Arnold Krekel District Judge, acting as presiding Judge of the Circuit Court for the time being.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Court, at office in the City of Jefferson, in said District, this tenth day of December, A.D. 1880.

(Seal)

H. C. Geisberg
Clerk"

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court, in pursuance of the 9th rule to have the writ of error in this cause docketed and dismissed. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in

in this cause to the Circuit Court of the United States for the Western District of Missouri, &c, and the same is hereby docketed and dismissed with costs. And that this cause, &c, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

For the Chief Justice Waite

John H. Johnson, Executor of Alfred Lee's will.

1127 vs. Appellant.

John T. Lee, Margaret Lee, William H. Lee et al, heirs at law of Alfred Lee, deceased.

The Solr Gen'l Garland, of counsel for the appellees, having filed in open Court the following

certificate, to wit:

"In the Supreme Court of the District of Columbia—

John S. Lee, Margaret Lee, William A. Lee, Francis F. Lee, Edward Lee, Ellen B. Lee, as committee of Samuel A. Lee, Charles H. Poole, and Mary E. Poole, his wife, William G. Crawford, and Maria L. Crawford, his wife, the legatees and heirs at law of Alfred Lee, deceased.

against

John H. Johnson, Executor of Alfred Lee's will.

} Appeal from the Probate Court.

I, A. S. Mergs, Clerk of the Supreme Court of the District of Columbia, do hereby certify that in the above entitled cause the decree of the said Court rendered in the General Term thereof, on the 22nd day of February, 1873, and recorded in Minutes, No. 2, at page 145, of said General Term, affirmed the decree of the Special Term of said Court, from which the above named defendant had appealed: And that on the 15th day of March, 1873, the following further order and decree was passed in said Court in said cause.

"The defendant by his attorney, John S.

Norris, from an appeal from the decree of this Court, to the Supreme Court of the United States, and the same is here now, in open Court allowed."

And I further certify, that it does not appear of record in my said office, that any transcript of the record in said cause, has been taken out by the said defendant in pursuance of said appeal. And further, that the said defendant did file in this Court this bond for said appeal on the 13th day of March, 1873.

(Seal) Witness my hand and the seal of said Court, this 13th day of December, 1880.

R. J. Meigs,
Clerk."

and Fanny stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Su-

from Court of the District of Columbia, &c.,
and the same is hereby docketed and dismissed with costs. And that this cause, &c., and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

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153 Samuel Kahn vs. The Central Smelting Company et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. A. McBride and Mr. T. H. Williams, of counsel for the appellant, and by Mr. Samuel Shellabarger & Mr. J. M. Wilson, of counsel for the appellees.

134	Lewis Theilgel, Collector, &c vs. Pltff. in Error. U. S. et al.	Writ of error submitted to the consideration of the Court on the records and printed argument by Mr. Assistant Attorney General Smith, of counsel for the plaintiff in error. No counsel appearing for the defendants in error.
135	Lewis Theilgel, Collector &c. vs. Pltff. in Error. Augustus Kaiser et al. Same.	
136	Lewis Theilgel, Collector, &c., vs. Pltff. in Error. Calvert N. Caldwell.	

110	The Union Pacific Railroad Company, vs. Pltff. in Error. The Board of County Commissioners of the County of Polk.	In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and on the motion of Mr. C. J. Cope

pleton, of counsel for the plaintiff in error, It is now hereordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per the Chief justice Waite.

Proclamation being made the Court was adjourned until tomorrow at twelve o'clock

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Tuesday December 11th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne
Samuel F. Miller
Stephen J. Field — Associate Justices
Joseph P. Bradley
John M. Harlan

John G. Nicolay Esquire Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. J. Tilden, it is ordered that A. Jason Judkins Esquire of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

268	Robert A. Sims, Daniel H. Kelly, & Joseph K. S. Kellogg vs. Plffs. in Error. Olivia C. Pace and George H. Pace, her Husband	In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the motion of Mr. Charles H. Horner, of counsel for the plaintiffs in error, It is now here ordered, and adjudged by this Court that the writ of error in this cause, be, and the same is hereby dismissed with costs,

per Mr Chief Justice Waite

137	The United States vs. Plff. in Error. Abraham Goldbackstal.	This cause was submitted to the consideration of

the Court on the record and printed argument by Mr. Solicitor General Phillips, of

counsel for the plaintiff in error. No counsel appearing for the defendants in error.

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138 | The United States vs. Hall & Harris et al. | Plff in Error | This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Solicitor General Phillips, of counsel for the plaintiff. No counsel appearing for the defendants.

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139 | The Union Pacific R. R. Co. vs. John Y. Casper et al | Plff in Error | This cause was argued by Mr. C. J. Poppleton, of counsel for the plaintiff in error, and by Mr. H. J. Connell, and Mr. Jno. L. Webster, of counsel for the defendants in error.

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141 | James C. Babbitt, assignee, &c., vs. John S. Harris et al. | Plff in Error | The argument of this cause was commenced by Mr. Henry N. Ess, of counsel for the plaintiff in error.

141 James C. Babbitt, assignee of the Union German Savings Bank, a Bankrupt, Plaintiff in Error. vs. John S. Harris, Seth F. Hard, & George Wuchibach.

In Error to the Circuit Court of the United States for the Western District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Taney

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Wednesday December 15th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan — Associate Justices

John F. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. H. Kellogg it is ordered that Jno. E. Ferry Esquire, of Waterbury, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

142	James H. Wilson Receiver, &c., vs. Plff in Error James L. Haines, Comptroller General.	This cause was argued by Mr. Edward Baxter, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

147	The Life Association of America et al., vs. Appellants. Samuel E. Rundle & Helen Rundle.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Carr and Mr. George D. Reynolds, of counsel for the appellants, and by Mr. Armand Dillon, of counsel for the appellees, under the 20th rule.

136	The County of Mobile vs. Appellant. Seth K. Kimball et al.	This cause was argued by Mr. John T. Morgan, of counsel for the appellant and by Mr. C. M. Jones, of counsel for the appellees.

141	Charles Taylor, Plff. in Error. vs. The State of Maryland.	In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on the authority of counsel for the plaintiff in error and consent of counsel for the defendant in error on file, It is now here ordered and adjudged by this Court that the writ of error in this cause, be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

145	O. Kirchner Jr., vs. Michael McAleer	These cases were submitted to the consideration of the Court on the record and with leave to counsel for the respective parties to file printed arguments within the time
146	Michael McAleer vs. O. Kirchner Jr.	

specified the 20th rule.

107	The County of Denton vs. Wm. H. Rollins & Foster Shores, Trustee, &c.	Writ of Error	This cause was argued by Mr. J. T. Brittenden, of counsel for the plaintiff in error, and by Mr J. D. Stevenson and Mr. J. D. Henderson, of counsel for the defendants in error

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108	The County of Denton, vs. Wm. H. Rollins & Foster Shores, Trustee, &c.	Writ of Error	On motion of Mr. J. D. Henderson, leave is hereby granted him to file a brief in this cause on or before Friday next.

109	The United States vs. James C. Fenlon	Plaintiff	This cause was submitted to the consideration of the Court on the record and printed argument of Mr. Assistant Attorney General Smith, of counsel for the plaintiff. No counsel appearing for the defendant.

Thursday December 15th 1881 continued

149	Martha J. Bennett, admx, &c. vs. The Louisville & Nashville Railroad Company.	Pff. in Error	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Wallis Evans, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

150	Leopold Bamberger vs. Geo. C. Perry, Receiver, &c.	Pff. in Error.	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. S. H. Kellogg and Mr. George C. Perry, of counsel for the defendant in error, and on application of Mr. R. D. Harden, leave is hereby granted the plaintiff in error or his counsel to file printed argument on or before Thursday next.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 16th 1880.

Pursuant to adjournment the Court met to-day at the Capitol.

Present—

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
— Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Case it is ordered that John F. Foley Esquire of Providence, State of Rhode Island, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Montgomery Blair, it is ordered that W. H. Tuck, Esquire, of Annapolis, State of Maryland, be admitted to practice as

an attorney and counsellor of this Court and he was sworn accordingly.

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151 The United States, Plff. in Error.
vs.
Jas. H. Goodeau et al.

This cause was argued by Mr. Solicitor General Phillips, of counsel for the plaintiff in error. No counsel appearing for the defendants in error.

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152 The United States Plff. in Error.
vs.
L. H. Ulrici et al

This cause was argued by Mr. Solicitor General Phillips, of counsel for the plaintiff in error. No counsel appearing for the defendants in error.

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153 William B. Wadsworth Plff. in Error.
vs.
The Board of Supervisors of Eau Claire County

This cause was argued by Mr. Watt. H. Carpenter, of counsel for the plaintiff in error, and by Mr. H. L. Bartlett, of counsel for the defendant in error.

154	H. C. & S. Hartman vs. Pltff. in Error. S. C. Trenton, Treasurer, &c.	This cause was argued by Mr. W. L. Royall, of counsel for the plaintiff in error, and by Mr. J. S. Reid, of counsel for the defendant in error.

155	Jet Ward vs. Pltff. in Error. Jos. C. Todd, Survivor, &c.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. U. M. Rose, of counsel for the plaintiff in error, and by Mr. Charles P. Redmond, of counsel for the defendant in error.

156	Thomas J. Wood vs. Pltff. in Error. The City of Louisiana	In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District

of Missouri and on the authority of counsel for the plaintiff in error on file, It is now hereordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite

The Annapolis & Elk Ridge Railroad Co.,
157 vs. Writ in Error.
The County Commissioners of Anne Arundel County.

This cause was argued by Mr. J. H. Luck, of counsel for the plaintiff in error, and by Mr. Henry Otis Smith, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday December 17th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
— Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened.

On motion first made to the Court this day by Mr. Eli Brigham, it is ordered that Ernest C. Hall Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John K. Porter, it is ordered that George H. Hunt Esquire, of New York City, be admitted to practice as an attorney and

counsellor of this Court and he was sworn accordingly.

	The Third National Bank of New York City	This case was argued by Mr. S. T. White, the plaintiff in error in No 158, and by Mr. H. H. Scott, of counsel for the plaintiff in error in No. 143, and submitted on printed argument by Mr. H. M. Teller, of counsel for the defendant in error.
143	vs. Pltff in Error	
	The Miners' National Bank of Georgetown, Col.	
	and.	
	Stephen T. White	
158	vs Pltff in Error	
	The Miners' National Bank of Georgetown, Col.	

	The National Bank of Denver,	This cause was argued by Mr. Theodore Bacon, of counsel for the plaintiff in error, and by Mr. John Van Voorhis, of counsel for the defendants in error.
159	vs. Pltff in Error.	
	O. M. Mudney et al.	

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160 | W. D. George et al., Plffs in Error vs. Samuel H. Fale | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Nelson Cobb, of counsel for the plaintiffs in error, and by Mr. John K. Cravens, of counsel for the defendant in error.

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161 | Chicago County, Plff in Error vs. Charles C. Lewis | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. W. Rose, of counsel for the plaintiff in error, and by Mr. S. H. Kimball, of counsel for the defendant in error.

Proclamation having made the Court is adjourned until Monday next at twelve o'clock.

Monday December 20th 1880

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan — Associate Justices

John F. Nicolay Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton, it is ordered that Alexander J. Campbell Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger, it is ordered that R. T. Buckland Esquire, of Fremont, State of Ohio, be admitted to practice as an

attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Carr, it is ordered that V.B. Barnard Esquire of St. Joseph, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S.H. Johnston, it is ordered that Ira Leo Bamberger Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Elbert S. Hales, it is ordered that W.W. Hales Esquire, of Cortland, Cortland County, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf of Mr. H. C. Mauro, it is ordered that S. T. Johnson Esquire, of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. S. Henkle, it is ordered that John D. Hawke Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly).

On motion first made to the Court in this behalf by Mr. J. K. Porter, it is ordered that O. A. Dickerson Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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111 Catharine Hall, Maria H. Hall, and Sallie L. Crowder, vs. William H. Law — Appellants. | Appeal from the Circuit Court of the United States for the District of Indiana.

Monday December 20th 1858, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Field.

	The United States	Appeal from
124	vs. Appellant.	the Circuit
	Dominga De Alberton,	Court of the
	Executrix, and P. B. Ro-	United States
	gan, Executor of Faxon	for the District
	D. Atherton, deceased.	of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed.

131	James Densmore, Thomas Densmore & Jacob H. Yost, vs. William W. Seaford, John Alexander, Matthew Wilson et al	Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

139	The United States Ex relation The Citizens Bank of Louisiana, vs. John J. Knox Comptroller of the Currency.	In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the tran-

script of the record from the Supreme Court of the District of Columbia, and was argued by counsel - On consideration whereof, It is ordered here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs

per Mr. Justice Swayne

William C. Rice, Superintendent of the Insurance Department of the State of Missouri, substituted for The Life Association of America vs. Plaintiff in Error. Letitia T. Wilson	In Error to the Circuit Court of the United States for the Eastern District of Missouri.

92

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel - On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby af-

firmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Chief Justice Waite.

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135 Josiah D. Walker
vs. } In Error.
The First National Bank of Brattleboro'.

In Error to the Supreme Court of the State of Vermont.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Vermont, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby reversed with costs; And that this cause be, and the same is hereby remanded to the said Supreme Court, with instructions to reverse the judgment of the County Court and award a venire de novo.

per Mr. Chief Justice Waite

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147 | The County of Benton vs. William H. Rollins & Foster Shores, Trustees of the estate of James T. Shores, deceased. | In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Chief Justice Waite.

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148 | The United States vs. Plaintiff in Error James D. Senter | On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District

of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion, agreeably to the Act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified be answered in the negative. Whereupon, It is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr. Chief Justice Waite

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187 | Edward M. Edwards vs. U.S. in Error. The United States Ex rel. Wm F. Thompson. | On consideration of the motion to dismiss this cause, It is ordered that the said motion, be, and the same is hereby denied.

per Mr. Chief Justice Waite

1040 The United States Plaintiff, vs. James H. Britton
1041 " " " " " " " "
1042 " " " " " Edward D. Curtis
1043 " " " " " J. H. Britton & D. Bates
1044 " " " " " " " " " " "
1045 " " " " " " " " " " "
1110 " " " " " James Hamilton
1111 Richard K. Parkinson Plff. in Error, vs. The United States
1112 The United States Plaintiff, vs. E. S. Hall & W. S. Gibson

Ordered by the Court that the further consideration of the motions to advance these cases be, and the same is hereby postponed for the present.

per Mr. Chief Justice Waite.

Retirement of Mr. Justice Strong.

Mr. Attorney General Devens addressed the Court as follows:

May it please your Honors,

It was with much emotion that the members of the Bar learned at the close of the session of this Court a week since, that they had seen for the last time the gracious presence of Mr. Justice Strong among his as-

sociates.

That he should have determined to retire while yet in the fullness of his great powers, and with his natural force unabated was a resolution formed, as they well know, in the same careful and conscientious spirit which has distinguished his whole career.

The propriety of such a decision they are not entitled to question, although they would have willingly had it postponed, that there might be postponed also the separation which it compels. They desire, in parting from him, to express simply and unaffectedly their deep sense of the large and varied learning, the wide experience, the strong intellectual force, the rigid impartiality with which those whose interests have been discussed here have had the full benefit, and of the unfailing courtesy and patience with which they have been listened to in representing those interests.

No judicial tribunal historically known to us has ever had imposed upon it labors as grave as those imposed upon the Supreme Court by the Constitution of the United States. While in order that it may decide, a ques-

tion must be submitted in the form of a case at law or equity, its highest duty is not always that of deciding cases between party and party. Its chief responsibility results from the fact that it is one of the three distinct branches to which the Constitution has distributed all the powers of a complete government, and that it is charged with the duty of defining, not only its own powers, but of restraining the other branches within their appropriate limits. Of the wide, beneficial and permanent influence which it has exerted I shall not attempt to speak. The subject is too large even for competent to deal with it. It is proper to observe, however, that Mr Justice Strong came upon the Bench at a most interesting period in its history. Our great civil strife was over. It had left behind, among its legacies, legislation which, even if prompted by patriotic motives, was still debated and perhaps debatable, and the constitutional amendments intended to remedy and to preserve the principles settled by it. It was a time to examine carefully compass and chart, to determine

whether we had been anywhere driven from our true course, and to ascertain also the direction and boundaries of the new course upon which we had entered. In these grave inquiries Mr. justice Strong ably bore his full share, and it will be recalled that, among many other important cases he was entrusted by this Court with stating the reasons for its judgments in the "Legal tender" cases in 1871, the "confiscation" cases in 1875, those involving the removal of criminal causes from the State to the United States Courts, and those involving the rights of colored men to be jurors.

Whatever may be lost by the retirement of Mr. justice Strong, the members of the Bar are sensible that those upon the Bench with whom he was associated must lose much more. He will carry into his dignified retirement the affectionate respect of all who have known him, all that should accompany old age as honor, love, obedience, troops of friends," will be his, and the evening of an upright life which has been full of kindness and courtesy to all men, and of great and honorable labor

in the service of the country cannot, they trust, fail to be serene and happy.

The Bar of this Court have requested me to present these resolutions I am about to read and to make on their behalf the motion with which they conclude.

Resolutions

Resolved That the members of the Bar of the Supreme Court have learned with deep regret of the voluntary retirement of Mr. Justice Strong, while in the full maturity of his great powers, from the labors and duties of the Bench.

Resolved That in this termination of the agreeable and important relation he has sustained towards them, they desire to express their cordial recognition of the rare sound learning, ripe wisdom, sincere anxiety to do justice and absolute independence which have characterized this distinguished magistrate during his judicial career as well as their grateful recollection of the kindly courtesy which he has constantly exhibited and their sincere wishes for his continued health and happiness.

Resolved That the Attorney General be requested to present these resolutions to the Court, and ask that they may be entered on its minutes and that they may be communicated by it to Mr. Justice Strong.

Mr. Chief Justice Waite replied as follows:

We are glad to receive from the Bar this expression of their regard for Judge Strong. It is but simple justice to say that during the ten years and more he held a seat on this Bench, he never for a moment forgot what was due to the place he so ably filled. His judgments were always the result of his honest convictions of what was right, and we who have known him in the intimacy of long personal and official intercourse shall ever bear witness to his purity of character as a man and eminent abilities as a Judge. We part with him on the bench with sincere regret.

The resolutions of the Bar with the remarks of the Attorney General in presenting them will be entered on the records of the Court, and we shall take pleasure in send-

ing a copy to Judge Strong as requested.

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582 | The National Steamship Co. vs. Chas. H. Sugman. | Plff in Error. | The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. F. J. Filtman, in support of the same, and by Mr. John Chetwood in opposition thereto; and on motion of Mr. J. S. Sears, in behalf of Mr. Chetwood, leave is granted him to file a reply brief.

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707 | The U. S. Ex rel. Thomas McBride, vs. Carl Schurz, Secretary, &c. | Plff in Error. | Mr. Walter H. Smith, of counsel for the plaintiff in error, filed and submitted to the consideration of the Court, motion to modify the judgment in this case as to costs.

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96 Thomas L. James, appellant, vs. C. C. Campbell et al.
1091 Samuel L. Easton, appellant, vs. C. C. Campbell et al.
1101 C. C. Campbell, assignee &c., appt, vs. Thomas L. James et al.

The motion for an order allowing one argument to be heard as to certain portions of the decree of the Circuit Court in these cases was argued by Mr. George H. Williams in support of the same.

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177 The Lehigh Valley R.R. Co., vs. appellant
Edward Mellon et al.

Mr. C. D. Campbell, of counsel for the appellant, having filed in open Court a suggestion of a diminution of the record in this cause, by reason of which omissions and errors the said counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the Eastern District of Pennsylvania, commanding them that searching the record and proceedings of said Court in this cause, they shall certify to this Court under the seal of said Circuit Court whatever omissions and errors shall be found. On consideration whereof: It is

now ordered by this Court that a writ of Certiorari, &c, and the same is hereby awarded to be issued forthwith, and to be directed to the judges of the Circuit Court of the United States for the Eastern District of Pennsylvania, commanding them that searching the record and proceedings aforesaid, they forthwith certify to this Court under the seal of the said Circuit Court, what matters omissions and errors shall be found and return the same with the said writ of Certiorari to this Court.

per Mr. Chief Justice Taney.

1977

The Steamship "Achilles," The Philadelphia & Reading Railroad Company, Claimant, Appellant. vs. James McCloskey et al, owners of the Schooner Marian Sage.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Eastern District of Pennsylvania, and on the motion of Mr. C. L. Campbell, of counsel for the appellant, It is now here ordered, adjudged and decreed by this Court, that this appeal, be, and the same is hereby dismissed with costs.

per Mr. Chief-Justice Waite.

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697 James H. Embry, Admr. &c. vs. Pltf. in Error. / J. H. Stanton & W. L. Palmer.

On motion of Mr. C. H. Horner, of counsel for the defendants in error, ordered that William L. Palmer and Thomas H. Palmer, administrators of J. H. Stanton, deceased, be, and they are hereby, made parties defendants in error, in this cause in place of said J. H. Stanton, deceased, as aforesaid, with liberty to resist this writ of error.

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45 The New Orleans, Mobile & Texas R. R. Co. et al., vs. appellants. / Henry Ellerman.

This cause was re-submitted to the consideration of the Court on print-

sd arguments by Mr. Thomas L. Payne, of counsel for the appellants, and by Mr. Thomas J. Durant, of counsel for the appellee, on the point specified in the order entered Dec 22d

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60 John Forman, vs. Appn in Error. The Board of Commissioners of Boise County | Mr. Sharpe obtains leave to file and submitted to the consideration of the Court, motion to vacate the judgment of dismissal entered in this cause and to restore the cause to its place on the docket.

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3 Original - Dec T. 1861 - vs. Compt'l The Commonwealth of Massachusetts, The State of Rhode Island. | Mr. W. H. Craig presented the written applications of the respective Governors of the States of Massachusetts and Rhode Island, and moved the Court for leave to temporarily withdraw from the files of this Court the diagrams of the boundary lines between said States for the purpose of having copies made thereof-

On consideration whereof, It is ordered that leave be granted to have copies of said diagrams made under the supervision of the Clerk of this Court.

96	A. B. Miller, Appellant, vs. The Mayor &c. of the City of New York.	The motion to advance this cause was submitted to the consideration of the Court by Mr. Wm Henry Arnoux in support of the same.

145	Joseph Salustine Quentin, Appellant. vs. Joseph Hernandez et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph P. Hornor & Mr. H. S. Sandiat, of counsel for the appellant, and by Mr. Thomas J. Semmes, of counsel for the appellees, under the twentieth rule.

161	Reed Peck, Admr, &c., Plff in Error. vs. T. D. Collins.	This cause was argued by Mr. A. L. Wales, of counsel for

the plaintiff in error, and by Mr. W.W. Yates, of counsel for the defendant in error.

163	Alston Wilson, Plff. in Error. vs. Charles McNamee.	Mr. J.S. Stearns, of counsel for the plaintiff in error, suggested the death of Charles McNamee, the defendant in error in this cause, and moved the Court for an order making Sarah C. McNamee, administratrix of Charles McNamee, deceased, the party defendant in error in this cause, per stipulation of counsel. On consideration whereof, It is now here ordered that Sarah C. McNamee, administratrix of Charles McNamee, deceased, as aforesaid, be, and she is hereby, made the party defendant in error in this cause with liberty to resist this writ of error.

Monday December 20th 1830, continued

	Addison Wilson,	This cause was
163	, vs. Plff. in Error.	argued by Mr. James
	Sarah & Wm. Hance,	S. Stearns, of coun-
	Administratrix, &c.	sel for the Plain-
		tiff in error. The

Court declined to hear argument on part of the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at eleven o'clock.

Tuesday December 21st 1880.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. George M. Robeson, it is ordered that F. H. Cramer Esquire of Harrisburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. George D. Robinson, it is ordered that Charles L. Long Esquire of

Springfield, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. S. M. Field, it is ordered that Charles J. Brooks, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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591 The American Printing House for the Blind of Louisville, Ky, Appellant. vs. The Louisiana Board of Trustees of the American Printing House for the Blind et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. L. Lowe and Mr. H. Hunt, of counsel for the appellant, and by Mr. E. F. Merrick, Mr. T. H. Isaac and Mr. John T. Campbell, of counsel for the appellees, under the twenty-fifth rule.

160	Charles Goodman, vs. Wm T. Mc Black. appellant	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. C. Denyand Mr. J. T. Burns, of counsel for the appellant, and by Mr. F. H. Peter, of counsel for the appellee.

164	James H. Harvey & James Linsey, vs. The United States appellants.	Ordered by the Court that this cause, &c, and the same is hereby passed.

165	William Rieke, vs. Henry P. Coburn. appellant.	This cause was argued by Mr. A. J. Dittes of counsel for the appellant, and submitted on printed argument by Mr. A. J. Watkins, of counsel for the appellee.

Thursday December 21st 1876, continued

166 The County Court of Knox County, vs. Niff in Error for U. S. Exrel: George W. Harshman.

This cause was argued by Mr. James Carr, of counsel for the plaintiff in error, and submitted on printed argument by Mr. F. K. Skinker, of counsel for the defendant in error.

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167 Thomas Hardell, vs. Appellant. The Union Pacific Railroad Company.

The argument of this cause was commenced by Mr. J. M. Woolworth, of counsel for the appellant, and continued by Mr. O. J. Dobbins, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 21st 1870

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Morrison R. Waite, Chief justice.

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
} Associate justices

John F. Nicolay Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that Emmet V. Cleott, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. L. Savidge, it is ordered that James T. Parsons Esquire, of Colebrook, State of New Hampshire,

be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Samuel Whitmore,	Mr. C. A. Brigham,
1132	vs. Appellant.	of counsel for the
	Robert Seaman and	appellee, having
	Henry H. Shepard.	filed in open Court
		the following certifi-

cate, to wit:

"Circuit Court of the United States
For the Southern District of New York.

I, Joseph M. Read, Clerk of the Circuit Court of the United States for the Southern District of New York, do hereby certify that in a certain cause pending in said Court wherein Samuel Whitmore was complainant and Robert Seaman and Henry H. Shepard were defendants, a final decree was rendered by said Circuit Court on the 5th day of May, A. D. 1852, in favor of the said defendants and against the said complainant; and afterwards, to wit, on the 10th day of May, A. D. 1852, the said complainant, Samuel Whitmore, prayed an appeal

to the Supreme Court of the United States which was duly allowed.

In testimony whereof I have hereunto subscribed my name and affixed the seal of said Circuit Court at the City of New York this 18th day of December, A.D. 1880.

(Seal)

Joseph W. Deuel
Clerk"

and having stated that the said appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of this Rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the Southern District of New York, &c, and the same is hereby docketed and dismissed with costs; and that this cause, &c, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

38	Alfred H. Andrews et al. Plffs. in Error vs. Henry W. Congar	Mr. H. C. Mc Kenney submitted to the consideration of the Court, motion for an order granting leave to the Clerk to issue Mandate in this cause.

167	Thomas Hardie, Appellant vs. The Union Pacific Railroad Company.	The argument of this cause was continued by Mr. C. J. Appleton, of counsel for the appellee, and concluded by Mr. J. C. Broadhead, of counsel for the appellant.

168	Charles J. Folger, Appellant vs. The United States.	This cause was argued by Mr. George H. Comstock, of counsel for the appellant, and by Mr. Solicitor General Phillips, of counsel for the appellee.

Wednesday December 22nd 1880, continued

169	Samuel Strong vs. Appellant Charles F Tilley and	Ordered by the Court that these cases &c, and the same are hereby continued until the next term, per stipulation of counsel
170	Samuel Strong, vs. Appellant Charles F Tilley.	

Proclamation being made the Court is adjourned until Monday, January 3rd 1881, at twelve o'clock.

Monday January 3rd 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne — Associate Justices
Samuel F. Miller — Associate Justices
Stephen J. Field — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices

John F. Sheridan Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Philip Phillips, it is ordered that Abraham Van Santvoord Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. W. S. Southard, it is ordered that George Briggs, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as

an attorney and counsellor of this Court and he was Sworn accordingly.

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60 John Forman vs. Wm. in Error. The Board of Commissioners of Boise County.

On consideration of the motion to vacate the judgment of dismissal entered in this cause and to restore the cause to its place on the docket, It is ordered that said motion, be, and the same is hereby denied.

per Mr. Chief Justice Waite.

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38 Alfred Hendrus et al., vs. Wm. in Error. Henry M. Congar.

On consideration of the motion for an order granting leave to the Clerk to issue the Mandate in this cause, It is ordered that said motion, be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

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960 Abraham B. Miller, Appellant vs The Mayor &c. of the City of New York.

On consideration of the motion to advance this cause, It is ordered that said motion, be, and the same is hereby, denied.

per Mr Chief Justice Waite.

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48 The New Orleans, Mobile & Texas R. R. Co. et al. Appellants vs Henry Ellerman.

This cause was argued orally with a full quorum of Justices on the bench, Mr. Justice Miller being at the time absent. It was afterwards ordered that as particular question involved, were argued by printed briefs to be filed on or before December 20th. Briefs were filed within the time named, but after the retirement of Mr. Justice Strong from the bench, and when there was not a quorum of the justices who heard the oral argument. It becomes necessary, therefore, that the case be again argued or submitted. The parties will be heard orally, or by new printed briefs, or the case may be again submitted

upon the arguments already on file. For this purpose the case is restored to its place on the docket and will be considered as having been passed for cause shown and without prejudice.

per Mr. Chief Justice Waite.

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174 David C. Shanks Executor &c., Appellant.
v.
John A. Klein et al

On motion of Mr. P. Phillips on behalf of counsel, ordered that this cause be passed when reached on account of sickness of counsel.

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112 Wm P. Sinclair & Co. Claimants of the Ship "Commonwealth" et al. Appellants.
v.
John Cooper, owner of the Tug "Joseph Cooper Jr" et al

On motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Richard De Gray and Mr J. R. Beckwith in support of the same and by Mr P. Phillips in opposition thereto

Monday January 3rd 1881, continued

1135 John E. Richardson
vs. Appellant.
The Norwegian Ship "Havre"
her tackle, &c., Svend Hansen, Claimant.

Mr. Charles M. DaCosta, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States,
for the Southern District of New York.
In the Second Circuit.

John E. Richardson,
Libellant & Appellant
vs.
The Norwegian Ship "Havre"
her tackle, &c., Svend Hansen,
Claimant & Appellee.

I, Joseph M. Read, Clerk of the Circuit Court of the United States for the Southern District of New York, in the Second Circuit, do hereby certify that a final decree herein was rendered in favor of the Claimant and Appellee above named, and against the Libellant and Appellant above named, on the 22nd

day of July, A.D. 1879, and that an appeal to the Supreme Court of the United States from said decree was duly issued out and allowed in the above entitled cause on the 27th day of March, A.D. 1880, on behalf of the libellant and appellant above named, and that at the request of the proctors for the said John G. Richardson, libellant and appellant no return has been made to the said appeal to the U.S. Supreme Court.

In testimony whereof, I have caused the seal of the said Court to be hereunto affixed, at the City of New York, in the Southern District of New York in the second Circuit, this twenty-seventh day of December, in the year of Our Lord one thousand, eight hundred and eighty, and of the Independence of the said United States the One hundred and fifth.

(Seal)

Joseph W. Deed,
Clerk"

and having stated that the said appellant has altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the ninth rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed in this Court that this appeal from the Circuit Court of the United States for the Southern District of New York, be, and the same is hereby, docketed and dismissed with costs; And that this cause, be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

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65 The Steamship "Benefactor" &c. vs. Wm H. Mount et al. Appellant.

Mr. F. R. Beebe, of counsel for the appellees,

moved the Court for an order granting leave to the Clerk to issue the Mandate in this cause. On consideration whereof, It is ordered that said motion, be, and the same

is hereby denied.

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3 The State of New Hampshire, Complainant. vs. Original. The State of Louisiana et al

Ordered by the Court that this cause be assigned for argument on January 12th.

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945 Thomas L. James, Appellant. vs. C. C. Campbell et al

1095 Samuel R. Coxton Appellant. vs. C. C. Campbell, Assignee, &c. et al.

and

1101 C. C. Campbell, Assignee, &c., Appellant. vs. Thomas L. James et al.

Ordered by the Court that these causes be, and the same are hereby passed.

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164 James H. Harvey, & James Livesey, Appellants. vs. The United States.

Ordered by the Court that this cause be assigned for argument immediately after Nos. 945, 1095, & 1101

	The Connecticut General Life Insurance Co.,	The argument of this cause was commenced by
171	vs. Appellant.	Mr. H. L. Savidge,
	Charles F. Eldridge.	of counsel for the

appellant, continued by Mr. Enoch Totten, of counsel for the appellee, and concluded by Mr. S. T. Bond, of counsel for the appellant.

	U. S. ex rel. Chas. M. Cook Jr., et al.,	This cause was
172	vs. Appellants.	argued by Mr.
	H. M. Rasin, Assignee, &c.,	C. M. La Costa,

of counsel for the appellants, and by Mr. H. E. Davies, Jr., of counsel for the appellee.

	Charles L. Hall,	This cause was submitted
329	vs Pltf. in Error.	to the consideration of
	Monroe County.	the Court on the record

and printed arguments by Mr. M. F. Sanders, of counsel for the plaintiff in error, and by Mr. A. H. Garland, of counsel for the defendant in error, under the 20th rule.

189	L. A. McCarthy, appellant. vs. Joseph A. Provosheta.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas J. Semmes, of counsel for the appellant, and by Mr. Henry D. Kelly, of counsel for the appellees.

1070	Richard E. Whitsitt et al. Appellants. vs. The Union Depot and Railroad Company et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Amos Stock, of counsel for the appellants, and by Mr. Dela M. Hughes, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 4th 1881

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
— Associate Justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Enoch Totten, it is ordered that George A. Sanders Esquire, of Springfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. E. McDonald, it is ordered that Hamilton S. Kidder Esquire, of New York City, be admitted to practice as an at-

Attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Campbell, it is ordered that Victor J. Fenton Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Lowndes, it is ordered that Isaac T. Hugsley Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm Henry Theaux, it is ordered that Lewis Sanders Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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98	Wm Kennison et al., Commissioners, &c., vs. Columbus Alexander.	On motion of Mr. A. J. Riddle, of counsel for the appellants, leave is hereby granted the Clerk to issue the Mandate in this cause.

177	The Lehigh Valley R. R. Co., vs. Edward Mellon et al.	On motion of Mr. A. J. Henderson, of counsel for the appellees, and consent of Mr. A. N. Campbell, of counsel for the appellant, It is ordered that this cause be, and the same is hereby continued until the next term.

173	Lilat Jarrett, vs. The City of Meadville.	This cause was argued by Mr. J. L. Stevenson, of counsel for the plaintiff in error, and by Mr. J. K. Overall, of counsel for the defendant in error.

174	David U. Shanks, Executor, &c., vs. John A. Klunstal. Sickness of counsel.	Ordered by the Court that this cause, &c, and the same is hereby passed on account of sickness of counsel.

175	Joseph P. Page, Admr, &c., vs. Bernard Burnsline.	This cause was argued by Mr. R. J. Gallinger, of counsel for the appellant, and by Mr. Enoch Totten, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 5th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne — Associate Justices
Samuel F. Miller — Associate Justices
Stephen J. Field — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William B. Woods — Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Honorable William B. Woods appeared and produced the following Letters Patent and Oath of Office which were read in open Court and ordered to be recorded upon the minutes in the following words, viz:

Rutherford B. Hayes,
President of the United States of America

To all who shall see these Presents, Greeting:
Know Ye: That reposing special trust and confidence in the Wisdom, Uprightness, and

Learning of William B. Woods, of Georgia, I have nominated, and, by and with the advice and consent of the Senate, do appoint him to be Associate Justice of the Supreme Court of the United States; and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said William B. Woods, during his good behavior

In testimony whereof, I have caused these Letters to be made patent and the seal of the United States to be hereunto affixed. Given under my hand, at the City of Washington, the Twenty-first day of December, in the year of our Lord one thousand eight hundred and eighty, and of the Independence of the United States of America the one hundred and fifth.

(Seal)

R. B. Hayes.—

Wednesday January 5th 1881, continued

By the President:
John Hay,
Acting Secretary of State.

I, William B. Woods, do solemnly swear that I will administer justice without respect to persons and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as an associate justice of the Supreme Court of the United States according to the best of my abilities and understanding agreeably to the Constitution and Laws of the United States: So help me God.

William B. Woods.

Sworn to in open Court this fifth day of January, 1881. James H. McKenney
Clerk Supreme Court U. S.

I, William B. Woods, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement, to persons engaged in armed hostility thereto;

that I have neither sought nor accepted, nor attempted to exercise the functions of, any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto. And I do further swear that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God

W. B. Woods.

Subscribed and sworn to
before me this fifth day of
January, A. D. 1881.

M. R. Waite
Chief Justice Sup Ct U.S.

On motion first made to the Court in this behalf by Mr. Attorney General Stevens, it is ordered that Charles S. Mitchell Esquire, of Pontotoc, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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945 Thomas L. James, vs. C. C. Campbell et al — Appellant.

1095 Samuel R. Clexton vs. C. C. Campbell, Assignee &c. et al — Appellant.

1101 C. C. Campbell Assignee &c. vs. Thomas L. James et al — Appellant.

Ordered by the Court that these cases be reassigned for argument on Monday, January 17th, to follow cases already assigned for that day.

199	Mary R. Booker, Appellant vs Taylor & Stewart	On motion of Mr. W. B. Webb, of counsel for the appellee in No. 199, and consent of counsel for the respective parties in both cases
517	Wm S. Hoyt, Appellant vs Amasa Sprague et al.	

Ordered that No. 199 take the place on the docket of No. 517 and vice versa.

183	Gottlieb Cramer, Plff in Error vs Chester A. Arthur, Collector, &c.	On motion of Mr. George H. Williams, and consent of the counsel for the respective parties, leave is hereby granted him to file a brief in this cause.

176	Robert Mitchell, Plff in Error vs H. M. Overman, Adm'r, &c.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Rufus King and Mr. Laurence Maxwell Jr, of counsel for the plff in error, and by Mr. Stanley Matthews and Mr. Wm M.

Ramsey, of counsel for the defendant in error.

178	F. C. Nelson et al., appellants. vs. Jas. W. Moore et al.	Ordered by the Court that this cause be, and the same is hereby, passed on account of sickness of counsel.

179	George H. Sharpe, Plff in Error. vs. Michael L. Doyle et al.	This cause was argued by Mr. Charles F. Whitehead, of counsel for the plaintiff in error, and by Mr. Wm. Henry Arnoux, of counsel for the defendants in error.

180	Ouachita County, Plff in Error. vs. Joseph C. Valentt.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. H. Garland and Mr. F. H. Compton, of counsel for the plaintiff in error, and by Mr. U. M. Rose, of counsel for the defendant in error.

181	The U.S. ex rel. J.F. Lignior, vs. The City of New Orleans. Plff. in Error.	On motion of Mr. J.C. Caulfield, Ordered that this cause be, and the same is hereby passed until Monday next.

182	Thomas Thacher Claimant &c. vs. The United States. Plff. in Error.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Attorney General Lewis, of counsel for the defendant in error, with leave to counsel for the plaintiff in error to file brief on or before Monday next.

183	Gottlieb Cramer, vs. O. Kelly Arthur, Collector &c. Plff. in Error.	This cause was argued by Mr. Lewis Sanders, of counsel for the plaintiff in error, and by Mr. Attorney General Lewis, of counsel for the defendant in error.

185	The Northwestern Mutual Life Insurance Company, vs. George D. Nelson Admr, &c.	This cause was argued by Mr. E. S. Hooker, of counsel for the appellant, and submitted on printed argument by Mr. John J. Ingalls, of counsel for the appellee.

1063	The County of Jasper, vs. George W^m Dalton.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John M. Palmer, of counsel for the plaintiff in error, and by Mr. S. T. Littler, of counsel for the defendant in error, under the 20th rule.
	Error. printed argument	

	The Mayor &c. of the City of Louisiana.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L.
1151	vs Pltff in Error	
	By U.S. Ex rel:	
	Thomas J. Wood.	

T. Dyer, of counsel for the plaintiff in error, and by Mr. J. L. S. Bryden, of counsel for the defendant in error, under the 32d rule.

Proclamation being made the Court is adjourned until to morrow at ten o'clock.

Thursday January 6th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne — Associate Justices
Samuel F. Miller — Associate Justices
Stephen J. Field — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices

John F. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court was opened.

1166 The School District No. 56, of Richardson County, U.S. Plff. in Error. vs. The St. Joseph Fire & Marine Insurance Company.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. Estabrook, of counsel for the plaintiff in error, and by Mr. Millard P. Hall, of counsel for the defendant in error, under the 20th Rule.

542	Stephen D. Jones, assignee &c. vs. F. K. Walker et al.	Appellant.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Martin Sigur and Mr. H. S. Todd, of counsel for the appellant, and by Mr. John Mason Brown, of counsel for the appellees, under the 20th rule.

996	The Township of Harlan vs. Edward Rul, Treasurer of the State of Illinois et al.	Appellant.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. J. Horn, of counsel for the appellant, and by Mr. Geo. C. Sanders, of counsel for the appellees, under the 20th rule.

951	Rebecca Polk, vs. Pltff. in Error. Abner Shackleff.	In Error to the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and on the agreement filed in said cause, in the following words, to-wit: "This agreement made and entered into this the 13th day of November, 1880, by and between Elmer Shacklett, Party of the first part, and Van Leer Polk, Party of the second part, Witnesseth, That for and in consideration of the sum of ($3,000.00) Three Thousand Dollars to the party of the First Part, paid by the party of the Second part, the receipt of which is hereby acknowledged, The said Elmer Shacklett agrees and binds himself to satisfy the judgment rendered on the 12th day of July, 1875, in the Federal Court at Oxford, Miss, against Mrs. Adicea Polk in favor of said Elmer Shacklett for the sum of $15,514.33, and now pending upon writ of error in the Supreme Court at Washington, D.C. said Shacklett likewise agrees and binds himself to dismiss the Action of Ejectment now pending in the Federal Court at Oxford Miss. brought by said Shacklett against

John Stanley and Van Leer Polk; And also binds himself to dismiss the bill in equity pending in the Federal Court at Oxford, Miss. for the appointment of a Receiver &c. Said Elmer Shacklett likewise agrees and binds himself to release Quit Claim and convey to Van Leer Polk all right title and interest acquired by him under the purchase made at Marshall's sale of the Polk Plantation in Panola County, Miss.

Said Van Leer Polk is to have the writ of Error at Washington dismissed or a decree showing this compromise entered in said cause. And is likewise to have the Damage suit pending against Elmer Shacklett by Mrs. Rebecca Polk, in Maury County, Tenn., Dismissed. Shacklett is to pay all costs in suits brought by him and Mrs. Polk is to pay all costs in the suit brought by her at Maury County, Tennessee, so far as the same remain unpaid and said Mrs. Polk is to pay costs of dismissal of writ of error in Supreme Court. But there is to be no refunding by any one of any costs already paid.

Witness my hand and Seal

Abner Shacklett (seal)
Van Leer Polk.

State of Virginia
Rockingham County } To-wit: Personally appeared before me, J. T. Logan, Clerk of the County Court of Rockingham County, the within named Abner Shacklett, who acknowledged that he signed and delivered the foregoing instrument on the day and year therein mentioned.

Given under my hand and the Seal of said Court at Harrisonburg, Va., this 13th day of November, 1880.

J. T. Logan, Clerk.

State of Tennessee
Maury County } Personally appeared before me, C. H. Atkin, Clerk of the County Court of said County, which said Court is a Court of record - Van Leer Polk - the bargainer with whom I am personally acquainted, and who acknowledged that he executed the above instrument for the purpose therein contained.

Witness, my hand at office, in

Columbia, the 22nd day of November, 1880.
A. McAtkin - Clerk"

and motion of Mr. Fillmore Beall, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs,

per Mr. Chief Justice Waite.

Walter S. Johnston, Receiver, &c.,
116 vs. Appellant,
S. H. Laflin et al.

The argument of this cause was commenced by Mr. George H. Shields, of counsel for the appellant,

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continued by Mr. A. H. Garland, of counsel for the appellees, and concluded by Mr. J. S. Henderson, of counsel for the appellant.

U. K. Stevenson et al.,
136 vs. Appellants,
The Texas & Pacific R.R. Co.

On motion of Mr. H. L. Savidge, of counsel for the appellees, and consent of Mr. A. R. Keasbey, of counsel for the appellants, Ordered that this cause be, and the same is hereby passed subject to provisions of sec-

Thursday January 4th 1866, continued

tion 7, rule 26.

177	Edward M. Edwards, vs. Pltff in Error. The U. S. Ex. rel: Wm S. Thompson.	The argument of this cause was commenced by Mr. H. F. Scurrs, of counsel for the Plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 8th 1881

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Warren A. Hall, Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
} Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Francis Kernan, it is ordered that Otterbus Perry, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Durant, it is ordered that Duncan P. McIntyre Esquire, of Watseka, State of Illinois, be admitted to

practice as an attorney and counsellor of this Court and he was sworn accordingly.

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187 Edward M. Edwards, Plff. in Error, vs. The U. S. Ex rel. Wm. F. Thompson.

The argument of this cause was continued by Mr. M. J. Smiley, and Mr. J. K. Stone, of counsel for the defendant in error, and concluded by Mr. H. F. Severens, of counsel for the plaintiff in error.

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188 John F. D. Thompson, Plff. in Error, vs. The U. S. Ex rel. The Cambria Iron Company.

This cause was argued by Mr. H. F. Severens, of counsel for the plaintiff in error, and by Mr. M. J. Smiley, of counsel for the defendant in error.

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189 The Township of Lincoln, Plff. in Error, vs. The Cambria Iron Company.

This cause was argued by Mr. H. F. Severens, of counsel for the plaintiff in error, and by Mr. M. J. Smiley, of counsel for the defendant in error.

190	Harvey Terry, vs. Appellant. John J. McClure, Receiver &c.	Ordered by the Court that this cause be, and the same is hereby passed until the 17th instant after the cases already assigned for that day.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 10th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
— Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith, it is ordered that Arthur Brown Esquire, of Kalamazoo, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Hait, it is ordered that Thomas Harland Esquire, of New York City,

be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Sinton McMillin, it is ordered that D. L. Snodgrass Esquire, of Sparta, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Anderson, it is ordered that John S. Rinaker Esquire of Carlinville, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

153

William D. Wadsworth, Appellant. v. The Board of Supervisors of Eau Claire County.	Appeal from the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

The United States, Pltf. in Error.
vs.
Miles K. Morris, Jefferson Wilson, Enoch C. Dale, Wm. Leland, and Sina D. Pinson, Executrix of Richard T. Pinson, deceased.

In Error to the Circuit Court of the United States for the Western District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be,

and the same is hereby affirmed.

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Bradley
" " Swayne

Martha J. Bennett, administratrix of John Bennett, decd, Plff. in Error
v.
The Louisville & Nashville Railroad Company.

In Error to the Circuit Court of the United States for the District of Kentucky.

149

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby reversed with costs; And that this cause, be, and the same is hereby, remanded to the said Circuit Court, with directions to overrule the demurrer and for

further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Harlan.

	The County of Mobile, State of Alabama,	Appeal from the Circuit Court of the United States for the Southern District of Alabama.
176	vs. Appellant.	
	Seth N. Kimball and James E. Slaughter.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

110

William A. Walker, assignee in bankruptcy of The North Missouri Insurance Company. Appellant.

vs

Joseph F. Keith et al. ~~William, Thos. D. Hays, John H. Landers, Philip P. Adelman, Isaac Hayes, James Allen, Alfred L. Shortridge, Wm. H. Ruby, Benjamin A. Bryant, Richard A. Allen, Thomas D. Hays, Elias L. Shortridge, & Charles Johnson.~~

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel - On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller

1000	Charles Goodman, vs. William E. Niblack.	Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Miller.

707	The U. S. ex rel. Thomas McBride, vs. Carl Schurz, Secretary, &c.	Off. in Error.

On consideration of the motion, filed by Mr. H. H. Smith, of counsel for the plaintiff in error, to modify the judgment of this Court

in this cause as to costs. It is now here ordered that said judgment be, and the same is hereby modified so that the plaintiff in error shall recover his costs herein expended; and it is further ordered that the Clerk do issue the Mandate forthwith.

per Mr justice Miller.

Moses D. George, William L. George, James D. George, and John C. George, copartners as M. D. George and Brothers, and J. H. K. Stevens.

vs. Plff in Error.

Samuel H. Dale.

In Error to the Circuit Court of the United States for the District of Kansas.

160

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs

and interest, until paid, at the same rate per annum that similar judgments in the Courts of the State of Kansas.

per Mr. Justice Swayne.

Alston Wilson,
163 vs. Plff. in Error.
Sarah A. McNamee, Administratrix of Charles McNamee, deceased.

In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Swayne.

Isaac T. Lord,
34 vs. Plff. in Error.
The Goodall, Nelson & Perkins Steamship Co.

In Error to the Circuit Court of the United States for the District

of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr Chief Justice Waite.

John C. Collins, Administrator of the estate of Charles J. Zund, deceased, Plff in Error
120 vs.
The City of Louisiana.

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered

and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Lewis Helgt, Collector of Internal Revenue, Plff. in Error. v. Gerhard H. Rabe.	In Error to the Circuit Court of the United States for the Southern District of Ohio.

134

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

per Mr. Chief Justice Waite

Lewis Helzel, Collector of Internal Revenue,

135 vs. Iff in Error

Augustus Kayser, Georg Serke, William Kaster, Peter Kaster, Adolph Kneimatter and Georg Karhoff.

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

per Mr. Chief Justice Waite

136 Lewis Helgt, Collector of Internal Revenue, Plff in Error. vs. Robert H. Caldwell.

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

per Mr. Chief Justice Waite

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150 Leopold Tamburger, Plff in Error. vs. George E. Terry, Rec'r.

In Error to the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Connecticut.

per Mr. Chief Justice Waite.

Wm P. Sinclair & Co, Claimants of the Ship "Commara", et al., appellants
vs.
John Cooper, Owner of the Tug "Joseph Cooper Jr," et al.

542

On consideration of the motion to dismiss this cause, It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite

382	The National Steamship Co., vs. Charles H. Sugman.	Plff. in Error.	On consideration of the motion to dismiss this

cause, It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

1086	The Lake Shore & Michigan Southern Railway Co., vs. The National Car Brake Shoe Company.	Appellant.	On consideration of the motion heretofore filed the order vacating the submission

of this cause and remanding the cause to its place on the docket, It is now here ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

3	The State of New Hampshire, original. vs. The State of Louisiana et al.	Complainant.	Ordered by the Court that the order assigning

this cause for argument on January 12th be, and the same is hereby, vacated.

115	The United States,	appellant,	vs.	Henry H. Hubbell
116	Henry H. Hubbell,	"	"	The United States
117	The United States,	"	"	Henry H. Hubbell
118	Henry H. Hubbell,	"	"	The United States
119	The United States,	"	"	The San Mutl Ins. Co.
120	The San Mutl Ins. Co.	"	"	The United States
121	The United States	"	"	The China Mutl Ins. Co.
122	The China Mutl Ins. Co.	"	"	The United States
123	The United States	"	"	J. C. Keller, admr &c.
124	J. C. Keller, admr &c.	"	"	The United States
125	The United States	"	"	J. P. Faulkner, admr &c.
126	J. P. Faulkner, admr &c.	"	"	The United States

Ordered by the Court that these cases be, and they are hereby, re-assigned for argument at the head of the call for Monday, January 17th

per Mr. Chief Justice Waite

Order

There having been an Associate Justice of this Court appointed since the commencement of this term — It is ordered that the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeably to the act of

Congress in such case made and provided,
and that such allotment be entered of record, viz:
For the First Circuit, Nathan Clifford, Associate Justice
For the Second Circuit, Ward Hunt, Associate Justice
For the Third Circuit, Joseph P. Bradley, Associate Justice.
For the Fourth Circuit, Morrison R. Waite, Associate Justice
For the Fifth Circuit, William B. Woods, Associate Justice
For the Sixth Circuit, Noah H. Swayne, Associate Justice
For the Seventh Circuit, John M. Harlan, Associate Justice
For the Eighth Circuit, Samuel F. Miller, Associate Justice
For the Ninth Circuit, Stephen J. Field, Associate Justice

	The Insurance Company of North America,		On motion of Mr. M. P. Henry, of counsel for the plaintiff in error, ordered that this cause be passed when reached.
203	vs.	Aff. in Error.	
	The Commonwealth of Pennsylvania		

	Simon L. Jones et al., assignees, &c.,		The motion to remand this cause for further proceedings was argued by Mr. Montgomery Blair, in support of
511	vs.	Appellants.	
	George H. Low		

the same, and by Mr. R. S. Bendict, in op-

position thereto.

316	L. M. Kinsella et al vs. Plffs. in Error. Ira S. French	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. S. P. Houghton, in support of the same, and by Mr. J. H. McKum, in opposition thereto. Mr. Walter H. Smith also filed and submitted to the consideration of the Court, motion for leave to withdraw the transcript of the record for the purpose of amendment.

35	Wm. H. Brobst et al., vs. Appellants. Owen O'Hara.	On motion of Mr. J. J. Crittenden, of counsel for the appellants, leave is hereby granted the Clerk to issue the Mandate in this cause.

181	The United States, Ex. rel. J. F. Vignier, vs. Plff. in Error. The City of New Orleans et al	In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the authority of counsel for the plaintiff in error on file and motion of Mr. D. F. Jonas-

It is now hereupon ordered and adjudged by this Court, that the writ of error in this cause, &c, and the same is hereby, dismissed with costs

per Mr. Chief Justice Waite.

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191 Henry and Betsy Meyer, vs. Plffs. in Error. James A. Derouystal.

On motion of Mr. Francis Kernan, in behalf of counsel, ordered that this case take the place of No. 195 and vice versa.

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193 The Milwaukee National Bank of Wisconsin, vs. Plff. in Error. The City Bank.

(Substituted for No. 191) This cause was argued by Mr. Cilbertus Perry, of counsel for the defendant in error, and submitted on printed argument by Mr. N. W. Finch, of counsel for the plaintiff in error.

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193 C. H. Barney et al., appellants vs. H. H. & O. P. Latham. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas Wilson, of counsel for the appellants, and by Mr. Gordon E. Cole, of counsel for the appellees.

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185 Albert F. Babbitt, appellant vs. Parker P. Clark et al. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John C. Lee, of counsel for the appellant, and by Mr. Isaac P. Dugsley, of counsel for the appellees

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Tuesday January 11th 1881

Pursuant to adjournment the Court met to-day at the Capitol.

Present—

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
— Associate Justices

John F. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. T. M. Cockrill, it is ordered that S. M. Breckinridge Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Francis Kernan, it is ordered that Samuel Hand Esquire, of Albany, State

of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. R. Hawley, it is ordered that Charles D. Andrews, Esquire, of Litchfield, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. D. Barnum, it is ordered that Fred. H. Ashmann Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. E. Stillman, it is ordered that James McKeen Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

195	The United States, Pff. in Error vs. Geo. H. Jackson et al.	Ordered by the Court that this cause be, and the same is hereby, passed subject to provisions of section 7, rule 26.

1113	William S. Chapman, Appellant. vs. The United States.	Mr. Assistant Attorney General Smith, of counsel for the appellee,

having filed in open Court the following certificate, to wit:

"United States of America.
Circuit Court of the United States,
Ninth Circuit, District of California

The United States
vs.
William S. Chapman } No. 1299.

I, Lorenzo S. D. Sawyer, Clerk of the Circuit Court of the United States, for the District of California, do hereby certify that on the twenty-sixth day of May, A.D. 1879, a decree in favor of the United States was rendered and filed herein, and entered of record in said Circuit Court. That on the

twenty-second day of March, A. D. 1880, an appeal from the said decree of the said Circuit Court herein to the Supreme Court of the United States was duly issued out and allowed, and an order was entered accordingly of record on said March 22nd A. D. 1880.

I further certify that since said last date herein referred to, no transcript of the record in the above entitled cause has been ordered by said defendant or by any one on his behalf; and that no transcript of the record herein has ever been made.

In test my hand and seal of said Circuit Court this twentieth day of December, A. D. 1880.

(Seal)

L. D. S. Sawyer
Clerk U. S. Circuit Court,
District of California"

and having stated that the said appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and

decreed by this Court, that this appeal from the Circuit Court of the United States for the District of California, be, and the same is hereby, docketed and dismissed; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice,

per Mr. Chief Justice Taney.

1143 | William S. Chapman, Appellant. vs. The United States. | On motion of Mr. Assistant Attorney General Smith, leave is hereby granted the Clerk to issue the Mandate in this cause.

1142 | Lewis F. Bailey impleaded with The New York Savings Bank, Plff. in Error. vs. Mary R. Bailey. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern Dis-

Dist of New York, and on the stipulation of counsel on file and motion of Mr. S. H. Hackett, of counsel for the pltff. in error — It is now here ordered and adjudged by this Court, that the writ of error in this cause, be, and the same is hereby, dismissed. Clerk's costs in this Court to be paid by the plaintiff in error.

per Mr. Chief Justice Waite.

1142	Lewis H. Bailey impleaded, &c., vs. Pltf. in Error. Mary R. Bailey.	On motion of Mr. S. H. Hackett, leave is hereby granted the Clerk to issue the Mandate in this cause.

193	Samuel P. Walker's Executors, &c. et al., vs. Appellants. The United States	On motion of Mr. Attorney General Devens, ordered that this cause be, and the same is hereby, passed and to be placed at the head of the call as the first case for argument after the February recess.

141	Wm Keightman et al., Appellants. vs. Wm S. Clark et al.	This cause was argued by Mr. Henry Flanders, of counsel for the appellants, and by Mr. John F. Rinaker, of counsel for the appellees.

146	George Crouch, Appellant. vs. William Kramer.	This cause was argued by Mr. C. B. Darrum, of counsel for the appellant, and by Mr. A. W. Briesen, of counsel for the appellee.

160	George B. Blake et al., Executors, &c., Plffs. in Error. vs. John F. Meekin, Judge, &c.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joshua D. Ball, of counsel for the plaintiffs in error, and by Mr. James C. Davis, of counsel for the defendant in error, under the 20th rule.

Tuesday January 11th 1881, continued

191	Henry H. Betsy Moyer, Plffs. In Error. vs. James E. Dewey et al.	The argument of this cause was commenced by Mr. Samuel Hand, of counsel for the plaintiffs in error, and continued by Mr. James E. Denny of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 12th 1881

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
— Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that C. S. Wilsworth, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon Thomas F. Bayard, it is ordered that W. H. Fleming Esquire, of Charlotte, State

of North Carolina, he admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. F. Thurston, it is ordered that Charles Hart Esquire, of Providence, State of Rhode Island, he admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Blandeville, it is ordered that Benjamin C. Williams, Esquire, of Des Moines, State of Iowa, he admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1141 John L. Conley, vs. Plaff in Error. Calvin L. Loyd.

On motion of Mr. Solicitor General Phillips, leave is hereby granted to temporarily withdraw from the files the transcript in this cause.

191	Henry and Delsey Moyer, Plffs in Error. vs. James B. Dewey et al.	(Substituted for No. 198.) The argument of this cause was concluded by Mr. James B. Dewey, of counsel for the defendants in error.

517	William S. Hoyt, Appellant. vs. Amasa Sprague et al, and	On motion of Mr. George F. Comstock, of counsel for the appellants, ordered that these cases be argued together as one case and that three hours additional time be allowed in the argument of the cases.
518	Chas. L. Franklyn et ux. Appellants. vs. Amasa Sprague et al.	

517	William S. Hoyt, Appellant. vs. Amasa Sprague et al, and	The argument of these cases was commenced by Mr. Wm. Allen Butler, of counsel for the appellants.
518	Chas. L. Franklyn et ux, Appellants. vs. Amasa Sprague et al.	

151	The County of Wilson, Tenn, Plff. in Error. vs. The Third National Bank of Nashville, Tennessee.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph S. Fowler, of counsel for the plaintiff in error, and by Mr. A. M. C. Smith, of counsel for the defendant in error, under the 20th rule.

1099	The Little Rock Water Works Company, vs. John G. Barnes et al. Appellant.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. N. Garland and Mr. T. J. Henderson, of counsel for the appellant, and by Mr. U. M. Rose, of counsel for the appellees, under the 20th rule.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday January 13th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite, Chief Justice
Noah H. Swayne, Samuel F. Miller, Stephen J. Field, Joseph P. Bradley, John M. Harlan, William B. Woods, Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. B. F. Thurston, it is ordered that Edmund R. Hollinshead, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. J. Hammond, it is ordered that T. P. Kilmorland, Esquire, of

Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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517 William S. Hoyt, Appellant. vs. Amasa Sprague et al, and Chas. G. Frank Inspector, 518 Appellants. vs. Amasa Sprague et al.

The argument of these causes was continued by Mr. Charles Hart, and Mr. J. F. Thurston, of counsel for the appellees, and by Mr. George F. Comstock, of counsel for the appellants.

1096 Edward Bonham et al, Appellants. vs. Thomas B. Needles, Auditor et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. T. J. Henderson, of counsel for the appellants, and by Mr. George A. Sanders, of counsel for the appellees, under the 20th rule.

Thursday January 13th 1881, continued

1115 The Town of Seven Hickory, Aff. in Error.
vs.
George B. Ellery.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John M. Palmer, of counsel for the plaintiff in error, and by Mr. D. G. McIntyre, of counsel for the defendant in error, under the 20th rule.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 14th 1881

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Associate justices

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. J. A. Cramer, it is ordered that Daniel D. Fassett Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

149	Martha J. Bennett, Admx of John Bennett, deceased vs. The Louisville & Nashville Railroad Company.	Hpp. in Error.	On motion of Mr. H. H. McKinney, leave is hereby granted the Clerk to issue the Mandate in this cause.

976	Annie M. Davison and Sarah M. Sullivant, vs. The Board of Trustees of Town 3d Range 7, Ford County.	Hpp. in Error.	In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and on the stipulation of counsel on file and motion of Mr. H. H. McKinney, in behalf of counsel — It is now here ordered and adjudged by this Court, that the writ of error in this cause, be, and the same is hereby, dismissed, with costs.

Per Mr. Chief Justice Waite.

517	William S. Hoyt, 15. Chmasa Spraguestal. and Chas. S. Franklyn strux., 15. Chmasa Spraguestal.	The argument of these cases was concluded by Mr. George F. Comstock, of counsel for the appellants.

200	The Congress & Empire Spring Company, 15. D. & S. Knowlton jr. stal, Executors, &c.	This cause was argued by Mr. Francis Kernan, of counsel for the plaintiffs in error, and by Mr. A. M. Hughes, of counsel for the

defendants in error.

Proclamation being made the Court is adjourned until Monday next, at twelve o'clock.

Monday January 17th 1881

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne — Associate Justices
Samuel F. Miller — Associate Justices
Stephen J. Field — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William B. Woods — Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. F. Follett, it is ordered that Charles C. Miller, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Maury, it is ordered that C. V. Meredith, Esquire, of Richmond,

State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that Charles O. Tichenor, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

848 Joseph Salustine Cucullu, Appellant
vs
Joseph Hernandez, Mary Hernandez Walker, individually and as testamentary executrix of C. J. Walker, L. C. Kearny & Jean Dumas Avegno

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel - On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree

of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

	The United States,	In Error to the Circuit Court of the United States for the Eastern District of Missouri.
151	vs. Pff in Error.	
	Joseph S. Chouteau, James C. Edwards and Norbert S. Chouteau.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Field.

	The United States,	In Error to the Circuit Court of the United States for the Eastern District
152	vs. Pff in Error.	
	Rudolph H. Ulrici, Adolph Boecker, Charles Hoppe et al.	

of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Field.

The Connecticut General Life Insurance Company, Appellant		Appeal from the Supreme Court of the District of Columbia.
171	18	
Charles A. Eldridge		

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause,

be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Field

The Union Pacific Rail-road Company,		In Error to the Circuit Court of the United States for the District of Nebraska.
139	vs. Pltff. in Error	
John G. Clopper and Albert U. Dean.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby reversed with costs; And that this cause, be, and the same is hereby remanded to the said Circuit Court with instructions to set aside the verdict and grant a new trial.

per Mr. Justice Miller.

151	Stephen L. White, Plff. in Error. vs. The Miners National Bank of Georgetown, Col.	In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby reversed with costs. And that this cause, be, and the same is hereby, remanded to the said Circuit Court, with directions to set aside the verdict and grant a new trial.

per Mr. Justice Miller.

1113	The Third National Bank of New York City, Plff. in Error. vs. The Miners National Bank of Georgetown, Colorado.	In Error to the Circuit Court of the United States for the District of Colo-

rado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby reversed with costs; and that this cause, be, and the same is hereby remanded to the said Circuit Court with directions to grant a new trial.

per Mr. Justice Miller.

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137 The United States, Plff. in Error, vs. Abraham Goldback, S. M. Rosenbaum, Bernard Dear & Herman Wallerstein. | In Error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On con-

sideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed.

per Mr. Chief Justice Waite.

	A. L. McCarthy,	Appeal from the Circuit Court of the United States for the District of Louisiana.
819	vs. Appellant.	
	Joseph Hoide Provost et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

1070	Richard C. Whitsitt and James Meskew, Appellants. vs. The Union Depot & Railroad Company, The Denver, South Park & Pacific Railroad Co. et al.	Appeal from the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

664	The Florida Central Railroad Company, Appellant. vs. J. Fred. Schutte et al.	Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs. And it is further ordered that this decree be entered nunc pro tunc as of the 13th day of December, A.D. 1880.

per Mr. Chief Justice Waite.

(Mr. Justice Field was not present at the argument of this cause and took no part in the decision.)

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668 The Jacksonville, Pensacola & Mobile Railroad Company, Appellant, vs. J. Fred. Schutte et al. | Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the tran-

script of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs. And it is further ordered that this decree be entered nunc pro tunc as of the 13th day of December, A. D. 1880.

For Mr. Chief Justice Waite.

(Mr. Justice Field was not present at the argument of this cause and took no part in the decision.)

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669 The Western North Carolina Railroad Company, Appellant. vs. George W. Drew, Governor, &c., The Jacksonville, Pensacola & Mobile Railroad Co. et al.

Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the tran-

clerk of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs. And it is further ordered that this decree be entered nunc pro tunc as of the 13th day of December, A.D. 1880.

per Mr. Chief Justice Waite.

(Mr. Justice Field was not present at the argument of this cause and took no part in the decision.)

Simon L. Jones et al., assignees, &c.,		On consideration of the motion to remand this cause for further proceedings, It is ordered that said motion be, and the same is hereby, denied.
388 U.S.	Appellants.	
George H. Sou.		

per Mr. Chief Justice Waite.

516	L. M. Linder et al., Plffs. in Error. vs. Ira H. French.	On consideration of the motions to dismiss this cause and for leave to withdraw the transcript of the record for the purpose of amendment, It is ordered that the plaintiffs in error have leave to withdraw the transcript of the record on file for the purpose of perfecting the certificate of authentication, and that unless the transcript is returned properly authenticated on or before the first day of March next, the writ of error be dismissed. Per Mr. Chief Justice Waite.

607	Joseph S. Stewart vs. Appellant. Hamilton S. Gant.	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. F. F. Willenden, and Mr. H. H. Wells, in support of the same, and by Mr. J. S. Stewart, in opposition thereto.

736	The St. Louis Smelting and Refining Company, vs. Thos Kemp & Wm Nuttall and The St. Louis Smelting and Refining Company, vs. Sarah Rayetal.	Pltff in Error Pltff. in Error.	Mr Attorney General having submitted to the consideration of the Court, motion to advance these cases.

169	The District of Columbia, vs. Charles H. Armes, admr, &c.	Pltff in Error	The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel Shellabarger and Mr. J. M. Wilson, in support of the same, and by Mr. A. S. Riddle in opposition thereto.

1136	J. F. Keiber, vs. The State of Virginia.	Pltff in Error.	Mr. C. H. Meredith filed and submitted to the consideration of the Court, motion to

advance this cause.

204 John Barrett, vs Plff. in Error: C. J. Holmes, guardian, &c.

This cause was argued by Mr George T. Wright, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

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215 The United States, appellant, vs. Henry H. Hubbell.
216 Henry H. Hubbell, " " The United States
217 The United States, " " Henry H. Hubbell
218 Henry H. Hubbell, " " The United States
219 The United States, " " The Sun Mut. Ins. Co.
220 The Sun Mut. Ins. Co., " " The United States
221 The United States, " " The China Mut. Ins. Co.
222 The China Mut. Ins. Co., " " The United States
223 The United States, " " J. C. Keller, claim't, &c.
224 J. C. Keller, claim't, &c. " " The United States
225 The United States " " J. P. Faulcon, claim't, &c.
226 J. P. Faulcon, claim't, &c. " " The United States.

On motion of Mr. John O. Ward, two hours additional time allowed each side on the argument of these cases.

Monday January 17th 1881, continued

115	The United States, appellant,	vs.	Henry H. Hubbell	
116	Henry H. Hubbell,	"	"	The United States
117	The United States,	"	"	Henry H. Hubbell
118	Henry H. Hubbell,	"	"	The United States,
119	The United States,	"	"	The San Ildefonso &c.
120	The San Ildefonso &c.,	"	"	The United States
121	The United States,	"	"	The China Ilde &c.
122	The China Ilde &c.,	"	"	The United States
123	The United States,	"	"	J. G. Heiss, admr, &c.
124	J. G. Heiss, admr, &c.	"	"	The United States
125	The United States,	"	"	J. Faulison, admr, &c.

The argument of these causes was commenced by Mr. John C. Ward, of counsel for the claimants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday January 18th 1881.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
} Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

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816 The United States, Appellant, vs. Henry H. Hubbell
816 Henry H. Hubbell, " " The United States
817 The United States, " " Henry H. Hubbell
818 Henry H. Hubbell, " " The United States
819 The United States, " " The Sun Mutl. Ins. Co.
820 The Sun Mutl. Ins. Co., " " The United States
821 The United States, " " The China Mutl. Ins. Co.
822 The China Mutl. Ins. Co., " " The United States
823 The United States, " " J. C. Hilber, Admr. &c.
824 J. C. Hilber, Admr. &c. " " The United States
825 The United States, " " J. Paulsen, Admr. &c.

136 J. P. Davidson, Exec'r, &c. appellant, vs. The United States

The argument for this case was continued by Mr. John C. Hazard, of counsel for the claimants, by Mr. John S. Blair and Mr. Attorney General Devens, of counsel for the United States, and by Mr. Joseph H. Choate, of counsel for the claimants.

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330 Richard S. & Josephine Trowbridge, vs. Robert H. Wilson, Assignee, &c. appellants.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John F. Morgan, of counsel for the appellants, and by Mr. F. X. Hazard, of counsel for the appellee, under the 20th rule.

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903 The Town of Unity, vs. Hyde in Error. et. al. Burrage et al., Receivers, &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. J. Henry, of counsel for the plaintiff in error, and by Mr. James Dinsmoor, of counsel for

Tuesday January 15th 1861, continued

The defendant in error, under the 21st rule.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Wednesday January 19th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods — Associate Justices.

John F. Sheeley Esquire Marshal
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Devens, it is ordered that Wm. M. Nash Esquire, of Hazlehurst, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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810 The State Ex rel. Folsom Brothers, Plffs. in Error. vs. The Mayor &c., of the City of New Orleans.

This cause was submitted to the considera-

sion of the Court on the record and printed arguments by Mr. Thomas J. Semmes, Mr. Henry R. Kelly, and Mr. Robert Mott, of counsel for the plaintiffs in error, and by Mr. Henry C. Miller, of counsel for the defendants in error, under the 20th rule.

Charles M. Blake, appellant.
vs.
The United States.

773

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George H. Williams, and Mr. R. T. Lowe, of counsel for the appellant, and by Mr. Attorney General Devens, of counsel for the appellee, under the 20th rule.

James D. Wilson, Receiver of the St. Louis & Southeastern Railway Company, Thos. C. Catherwood, & George Opdyke, Trustees, Frederick William Cowel, et al.,
vs. appellants.
Albert G. Burland & Charles G. Perkins, intervening petitioners.

1122

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and on the motion of Mr. S. H. Piston, of counsel for the appellants, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

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125 Josiah D. Hulings, Pltff. in Error. vs. The First National Bank of Brattleboro.

On motion of Mr. Fillmore Beall, leave is hereby granted the Clerk to issue the Mandate in this cause.

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115 The United States, appellant vs. Henry H. Hubbell

116 Henry H. Hubbell, " " The United States

117 The United States, " " Henry H. Hubbell

118 Henry H. Hubbell, " " The United States

119 The United States, " " The Sun Mutl Ins. Co

120 The Sun Mutl Ins. Co, " " The United States

121 The United States, " " The China Mutl Ins. Co.

122 The China Mutl Ins. Co, " " The United States

823	The United States,	Appellant,	vs.	J. C. Miller, Admr &c.
824	J. C. Miller, Admr &c.	"	"	The United States
825	The United States,	"	"	J. Paulson, Admr &c.
826	J. Paulson, Admr &c.	"	"	The United States

The argument of these causes was concluded by Mr. Joseph H. Choate, of counsel for the claimants.

	Thomas L. James,			Ordered by the Court that four hours additional time be allowed in the argument of these cases
945	vs.	Appellant.		
	C. C. Campbell et al.			
	and			
	C. C. Campbell, &c.,			
1101	vs.	Appellant.		
	Thomas L. James et al.			

	Thomas L. James,			The argument of these cases was commenced by Mr. Geo. A. Williams, of counsel for C. C. Campbell.
945	vs.	Appellant.		
	C. C. Campbell et al.			
	and			
	C. C. Campbell,			
1101	vs.	Appellant.		
	Thomas L. James et al.			

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday January 20th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite	Chief Justice
Noah H. Swayne	Associate Justices
Samuel F. Miller	
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John G. Nicolay Esquire Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. S. S. Cox, it is ordered that H. H. McDougall, Esquire, of New York City and J. E. Richie, Esquire, of Lima, State of Ohio, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton, it is ordered

that Bluford Wilson, Esquire, of Springfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. F. B. Sands, it is ordered that George K. Parkhurst, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Samuel Welch,		In Error to the Supreme Court of the State of New Hampshire.
712 15.	Aff. in Error	
The Town of Strafford.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New Hampshire, and on the stipulation of counsel on file and motion of Mr. B. F. Butler, of counsel for the plaintiff in error - It is now here ordered and adjudged by this Court, that the writ of error, in this cause, be, and the same is hereby, dismissed;

each party paying their own costs in this Court.

per Mr. Chief Justice Waite.

1098 Samuel R. Clexton, Appellant. vs. C. C. Campbell et al.

This cause was argued by Mr. Edward D. Bellows, of counsel for the appellant, and by Mr. George H. Williams, of counsel for the appellees.

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945 Thomas L. James, Appellant. vs. C. C. Campbell et al.

and

1101 C. C. Campbell, &c., Appellant. vs. Thomas L. James et al.

The argument of these cases was continued by Mr. Samuel B. Clarke, of counsel for Thomas L. James.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday January 21st 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Noah H. Swayne — Associate Justice
Samuel F. Miller — Associate Justice
Stephen J. Field — Associate Justice
Joseph P. Bradley — Associate Justice
John M. Harlan — Associate Justice
William B. Woods — Associate Justice

John G. Nicolay Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith, it is ordered that Warren N. Dusenberry, Esquire, of Provo City, Utah Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Devens,

it is ordered that Chas. C. Cobell, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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683 George W. Grinnell et al., vs. Pffs. in Error. The Chicago, Rock Island, & Pacific R. R. Co. et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. S. Henkle and Mr. John S. Hauke, of counsel for the plaintiffs in error, and by Mr. Thomas F. Wilkinson, of counsel for the defendants in error, under the 20th rule.

1129 Philo C. Calhoun, Trustee et al., vs. Appellants. Samuel Orr & William Hacker, intervening petitioners.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. B. H. Bristow, Mr. Bluford Wilson, Mr. W. S. Opdyke, Mr. S. Comp-

Friday January 21st 1881, continued

ing Judd, and Mr. Wm. F. Whitehouse, of counsel for the appellants, and by Mr. Asa Iglehart and Mr. J. D. Iglehart, of counsel for the appellees, under the 20th rule.

Thomas L. James,
1145 vs. Appellant,
C. C. Campbell et al.
And
C. C. Campbell, Jr.,
1101 vs. Appellant.
Thomas L. James et al.

The argument of these cases was continued by Mr. Samuel D. Clarke and Mr. Attorney General Devens, of counsel for Thomas L. James, by Mr. B. F. Butler, of counsel for Campbell, and concluded by Mr. George A. Williams, of counsel for Campbell.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 24th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite — Chief Justice

Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
— Associate Justices

John F. S. Nicolay Esquire — Marshal
James H. McKenney, — Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Maury, it is ordered that Edgar H. Mann, Esquire, of Cheyenne, Wyoming Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. H. Hill, it is ordered that William Brinkerhoff, Esquire, of Jersey

City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Joseph P. Sage, administrator of Robert W. Sage, deceased, vs. Bernard Burnstine.	Appeal from the Supreme Court of the District of Columbia.

175

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause, be, and the same is hereby remanded to the said Supreme Court with directions that an account be taken as well of the sums actually advanced or paid by Burnstine upon the policy as security for it's repayment as of all sums paid by him for the purpose of keeping the policy in force, and for such

deem as may be in conformity with the opinion of this Court.

per Mr. Justice Harlan.

Tipton County, Plff. in Error,
vs. In Error to the
The Rogers Locomotive Circuit Court of
and Machine Works. the United States
for the Western
District of Tennessee.

No 76

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

per Mr. Justice Harlan.

76	Tipton County, Plff. in Error vs. Norton, Slaughter & Company.	In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

per Mr. Justice Harlan

77	Tipton County, Plff. in Error vs. J. J. Edmunds & Co.	In Error to the Circuit Court of the United States for the Western District of Tennessee.

Monday January 24th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel— On consideration whereof, It is now here ordered, and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, &c, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Tennessee.

per Mr. Justice Harlan

	Gottlieb Cramer,	In Error to the
153	vs.	Circuit Court of
	Peff. in Error.	the United States
	Chester A. Arthur, Collector	for the Southern
	of the Port of New York.	District of New
		York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel— On consideration whereof, It is now here

ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Bradley

Richard A. Leighman, Appellant,
vs.
William Procter, James Semple, Robt Procter, James A. Semple, and George A. Procter.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

25

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause, be, and the same is hereby, remanded to the said Circuit Court with directions to proceed in conformity with the views of the Court as they will be

expressed in the opinion, to be filed.

per Mr. Justice Bradley.

1511 A. C. S. Hartman, Plff in Error, vs. Samuel C. Trenholm, Treasurer of the City of Richmond. | In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court of Appeals in this cause, be, and the same is hereby, reversed with costs; And that this cause, be, and the same is hereby, remanded to the said Supreme Court of Appeals for further proceedings to be had therein in conformity with the opinion of this Court

per Mr. Justice Field.

Dissenting:
Mr. Justice Miller.

	Samuel Kahn,	Appeal from
133	vs. Appellant.	the Supreme
	The Central Smelting Company,	Court of
	Frederick H. Myers, John H. Kerr,	Utah Terri
	Henry Wadsworth, William	tory.
	Sloan, Wm. McQuaid & Isaac Morris	

This cause came on to be heard on the transcript of the record from the Supreme Court of Utah Territory, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby reversed with costs, And that this cause, be, and the same is hereby remanded to the said Supreme Court with directions to send it to the District Court for a new hearing; the parties to be at liberty to produce new proofs.

per Mr. Justice Field.

Clement Colquhoun Crist Jr.,
John F. Wagner & Col. William
Kessler, survivors of Clement
C. Colquhoun Crist

172 vs. Appellants.

Warner M. Bacon, assignee
of Thomas Worrell and E.
Cuyler Campbell.

Appeal from the
Circuit Court of
the United States
for the Southern
District of New
York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and interest, until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York.

Per Mr. Justice Miller.

179

George H. Sharpe,
Plff. in Error.
vs
Michael L. Doyle and
John F. Adolphus.

In Error to the
Superior Court
of the City of New
York.

This cause came on to be heard on the transcript of the record from the Superior Court of the City of New York being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Superior Court, in this cause, be, and the same is hereby, reversed with costs, And that this cause, be, and the same is hereby remanded to the said Superior Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Miller.

18	Wallet Kilbourn, Plff in Error. vs. John G. Thompson, John M. Glover, J. D. Keys & D. D. Lewis & C. Henry Smith.	In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings.

per Mr. Justice Miller.

15	William M. Springer, Plff in Error. vs. The United States	In Error to the Circuit Court of the United States for the Southern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Swayne.

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125 James H. Ogden, Plff. in Error, vs. The County of Daviess. | In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Monday January 24th 1881, continued

155 Jeb Ward, Plff in Error. vs. Joseph D. Todd, survivor of the firm of Todd & Rafferty. | In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas.

per Mr. Chief Justice Waite.

Monday January 24th 1881, continued

The Life Association of America, William J. Kelly, Superintendent of the Insurance Department of Missouri, and David M. Frost, Special Agent, &c. vs. Samuel E. Sundel & Helen Sundel. | Appeal from the Circuit Court of the United States for the District of Louisiana.

197

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed according to law as with a pending suit within its jurisdiction by removal.

per Mr. Chief Justice Waite

602 Joseph D. Stewart, Appellant. vs. Hamilton H. Fant.

On consideration of the motion to dismiss this cause, It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

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736 The St. Louis Smelting & Refining Company, Plff. in Error. vs. Thomas Kemp et al.

and

737 The St. Louis Smelting & Refining Company, Plff. in Error. vs. Sarah Kay et al.

On consideration of the motion to advance these cases, It is ordered that said motion be and the same is hereby, granted and the cases are assigned for argument at the foot of the call for the 11th day of March next.

per Mr. Chief Justice Waite.

1136 J. F. Webber, Plff. in Error. vs. The State of Virginia.

On consideration of the motion to advance this cause, It is ordered that

said motion be, and the same is hereby, granted and the case is assigned for argument at the foot of the call for the 9th day of March next.

per Mr. Chief Justice Waite.

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169 | The District of Columbia, vs. Plff. in Error | On consideration of the motion to dismiss this cause, It is ordered that
Charles A. Barnes, Administrator, &c.

said motion be, and the same is hereby, postponed for hearing with the cause on its merits.

per Mr. Chief Justice Waite.

The Chief Justice announced that the Court would adjourn from Monday January 31st until Monday, February 7th.

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157 | The United States, vs. Plff. in Error. | On motion of Mr. J. H. Fletcher, leave is hereby granted the Clerk to
R. W. Ulrici et al.

issue the Mandate in this cause.

150	Leopold Bamberger, vs. Plff. in Error. Sam'l. Berry, Receiver, &c.	Mr. S. H. Kellogg, of counsel for the defendant in error, filed and submitted to the consideration of the Court, motion for an order granting leave to the Clerk to issue the Mandate in this cause.

982	Edward L. Keyes, vs. Appellant. The United States.	This cause was submitted to the consideration of the Court, under the 20th rule, on the record and printed argument for Mr. Attorney General Devens, of counsel for the appellee, with leave to Mr. W. H. Carpenter, of counsel for the appellant, to file brief.

1115	Rudolph Bircher, vs. Plff. in Error. Timothy Shuey	Mr. Fillmore Beall, in behalf of counsel, moved the Court for leave to amend the writ of error in this cause by inserting before the words "Rudolph Bircher," where they occur in said writ, the words "John C. Vogel, Executor of the last will and testament of" and after

the said words "Rudolph Dircher" the word "dwrand" - On consideration whereof, it is ordered that said motion be, and the same is hereby granted.

37	Isaac N. Ford, vs. Appt. in Error. The Goodall, Nelson & Perkins Steamship Co.	Mr. Gilmore had filed and submitted to the consideration of the Court, motion for an order granting leave to the Clerk to issue the Mandate in this cause.

251	Laura C. Jones, widow, &c., vs. Appt. in Error. Nelson Van Benthuysen.	On motion of Mr. J. L. Rouse, and consent of counsel for the respective parties - It is ordered that this cause be substituted for No. 213 and vice versa.

5	Ex parte - In the matter of John N. Burtis and John M. Traff, original - Petitioners	On motion of Mr. C. J. Todd, of counsel for the petitioners, leave is hereby granted him to

file a petition for a writ of Mandamus.

Ex parte: In the matter of John H. Burlew & Wm. Traff, original Petitioners. | The petition for a writ of Mandamus in this cause was argued by Mr. A. J. Todd, in support of the same.

Harvey Berry, 140 vs. Appellant. John J. McClure, Rec'r, &c. | This cause was argued by Mr. Harvey Berry, the appellant, and by Mr. James Lowndes, and Mr. H. E. Cole, of counsel for the appellees.

The City of Chicago, 1034 vs. Pltff. in Error. Thomas Tilley. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. C. Goudy, of counsel for the plaintiff in error and by Mr. W. H. Fuller, of counsel for the defendant in error, under the 20th rule.

1035 Thomas Gilley, Plff in Error
vs.
The City of Chicago
& The County of Cook.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. H. Fuller, of counsel for the plaintiff in error, and Mr. H. C. Goudy and Mr. W. H. Hillett, of counsel for the defendants in error, under the 20th rule.

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538 Charles Kern, Plff in Error
vs.
F. H. Hudekoper et al.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. E. Hasbrouck, of counsel for the plaintiff in error, under the 20th rule.

1314 Charles Kern et al., Appellants
vs.
F. H. Hudekoper et al.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. E. Hasbrouck, of counsel for the appellants, under the 20th rule.

Proclamation having been made the Court is adjourned

Thursday January 25th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R Waite	Chief Justice.
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

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201 The Pacific Mail Steam-Ship Company, Appellant.
vs.
The United States.

and

202 The United States, Appellant.
vs.
The Pacific Mail Steam-Ship Company.

These cases were argued by Mr. J. F. Farnsworth and Mr. Rasco Conkling, of counsel for the Pacific Mail Steamship Co, and by Mr. Assistant Attorney General Smith, of counsel for the United States; and submitted on

printed arguments by Mr. P. Phillips and Mr. W. E. Chandler, of counsel for the Pacific Mail Steamship Co, and by Mr. Solicitor General Phillips, of counsel for the United States.

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203 | The Insurance Company of North America, vs. Plff. in Error. The Commonwealth of Pennsylvania. | Ordered by the Court that this cause be, and the same is hereby, passed.

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592 | John Wiles, vs. Plff in Error. The United States. | This cause was argued by Mr. Arthur Brown, of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Smith, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 26th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present -

The Honorable Morrison R. Waite	Chief-Justice
Samuel F. Miller	Associate Justices.
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John F. Nicolay, Esquire Marshal
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. J. Parker, it is ordered that J. C. Beall, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Lowndes, it is ordered that Robert H. De Forest, Esquire, of New York City, and John Crowell jr, Esquire, of Cleveland, State of Ohio, be admitted to

practice as attorney and counsellor of this Court and thereupon was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith, it is ordered that John S. Derby, Esquire, of Maine, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

205

Thomas J. Dunn, Charles B. Dunn and Rosamond H. Dunn, Executrix of Edmund C. Dunn, dec'd, vs. Manuel A. Montejo and Francisco Xavier Montejo

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the authority of counsel for the appellants on file, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed

with costs.

per Mr. Chief Justice Waite.

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206 Lewis A. Wolff,
Pl'ff in Error.
vs.
The Mayor, &c., of New Orleans.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George S. Lacey, of counsel for the plaintiff in error, and by Mr. S. F. Jonas and Mr. Henry C. Miller, of counsel for the defendants in error.

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207 Thomas B. Coddington,
Appellant.
vs.
The Pensacola & Georgia R. R. Co. et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. B. F. Holland, of counsel for the appellant, and by Mr. C. H. Jones, of counsel for the appellees.

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208 The American Cotton Tie Co. et al,
Appellants.
vs.
L. Scranton et al.

Ordered by the Court that this cause be, and the same is hereby,

continued until the next term.

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209 | The People Ex rel: John S. Hamman, vs. Plff. in Error The Commissioners of Taxes & Assessments, City of New York. | This cause was argued by Mr. H. Charles Ulman, of counsel for the plaintiff in error, and by Mr. J. C. Beall, of counsel for the defendant in error.

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210 | Eliza J. Kennick, Admx, &c. vs. Plff. in Error The Central Railroad Co, of New Jersey | This cause was argued by Mr. Almaza J. Parker, of counsel for the plaintiff in error, and by Mr. Robert N. De Forest, of counsel for the defendant in error.

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211 | J. H. & J. O. Stout, vs. Appellants. Francis J. Lyndal. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John Hutchins, of counsel for the appellants, and by Mr. J. C. Richie,

Wednesday January 26th 1881, continued

of counsel for the appellees.

213	William H. Cook, vs. Charles Lillo.	Appellant.	This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs. John C. Campbell, C. C. Singleton and R. H. Browne, of counsel for the appellant, and by Mr. D. J. Semmes, and Mr. C. E. Schmidt, of counsel for the appellee.

264	Laura E. Jones, widow, &c., vs. Watson Van Benthuysen.	Plff. in Error.	(Substituted for No. 213.) This cause was argued by Mr. Assistant Attorney General Smith, of counsel for the plaintiff in error, and by Mr. J. K. Rose, of counsel for the defendant in error.

214	The Connecticut Mutual Life Insurance Company, vs. Babette Wolff, Executrix of Elias Wolff, deceased.	Plff. in Error.	In Error to the Circuit Court of the United States for the Northern District of New York.

Wednesday January 26th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and on the authority of cases on file. It is now here ordered and adjudged by this Court, that the writ of error, in this cause, be, and the same is hereby, dismissed with costs.

For Mr. Chief Justice Waite.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday January 24th 1861

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices.
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. T. Crooks, it is ordered that Stephen V. Pratt, Esquire, of Watertown, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. J. Cross, it is ordered that John A. Cowen, Esquire, of Baltimore, State of Maryland, be admitted to practice as an

attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Waldo Hutchins, it is ordered that Wilson Cary, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. William M. Springer, it is ordered that Carroll C. Boggs, Esquire, of Fairfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. M. I. Southard, it is ordered that Henry S. Harris, Esquire, of Belvidere, and Thomas Hays, Esquire, of Newton, State of New Jersey, be admitted to practice as Attorneys and counsellors of this Court, and they were sworn accordingly.

221	Joseph Swan, vs. Plff in Error. C. C. Arthur, Collector, &c. and	On motion of Mr. Stephen S. Clarke, of counsel for the plaintiffs in error, and consent of Mr. Assistant Attorney General Smith, of
222	Herman Kleiman et al, vs. Plffs in Error. C. C. Arthur, Collector, &c.	

counsel for the defendant in error, It is ordered that these causes be, and the same are hereby passed to be argued with No. 261, as one case.

215	The Mechanics & Traders Insurance Company, vs. Plff in Error. Basil G. Kiger et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Thomas Hunton, of counsel for the plaintiffs in error, and by Messrs. F. T. Horner, H. D. Benedict, and Thomas J. Semmes, of counsel for the defendants in error.

216	O. F. Bondurant, Executrix, &c. vs. Frank Watson	Aff. in Error.	These causes were submitted on the consideration of the Court on the record and
217	O. F. Bondurant, Executrix &c. vs. Frank Watson.	Appellant.	

printed arguments by Mr. S. T. Baker, of counsel for the plaintiff in error in No. 216 and appellant in No. 217, and by Mr. O. D. Merrick and Mr. S. H. Lacy, of counsel for the defendant in error in No. 216 and appellee in No. 217.

218	Eliza Davis, widow, &c. vs. Myra Clark Gaines.	Appellant.	This cause was argued by Mr. J. S. Rouse, of counsel for the appellant,

and by Mr. J. S. Whitaker, of counsel for the appellee.

220	The Baltimore & Ohio R. R. Co. vs. Sec. H. Koontz, Administrator, &c.	Aff. in Error.	On motion of Mr. J. K. Tucker, of

counsel for the defendant in error, and consent of Mr. J. K. Cowen, of counsel for the plaintiff in error, ordered that this cause be, and the same is hereby, continued until the next term, and that Nos. 733 and 1128 be argued with No. 2 or when reached, as one case.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 21st 1881.

Pursuant to adjournment the Court met to-day at the Capitol.

Present:

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods — Associate Justices.

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. T. G. Thurman, it is ordered that Leroy D. Thoman, Esquire, of Youngstown, State of Ohio, and Alexander C. Wheat, Esquire, of Quincy, State of Illinois, be admitted to practice as attorneys and counsellors of Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stephen J. Clarke, it is ordered that James R. Waddill, Esquire, of Springfield,

State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1145	James S. Johnston and John C. Stewart, Trustees, vs. Plffs. in Error. Lewis H. Meyer, Trustee, The Selma, Rome & Dalton Railroad Company et al.	Mr. Fillmore Beall, of counsel for defendants in error, having filed in open Court a certificate of the Clerk of the Supreme Court of the State of Alabama with copies of the writ of error and citation in this cause and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, moved the Court, in pursuance of the 9th rule, to have this writ of error docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the writ of error, in this cause, to the Supreme Court of the State of Alabama, be, and the same is hereby, docketed and dismissed, with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court to be

proceeded in according to law and justice
per Mr. Chief Justice Waite.

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214 J. N. Rogers, Assignee, &c., Appellant.
vs.
Andrew Palmer Jr.

On motion of Mr. Fillmore Beall, leave is hereby granted the Clerk to issue the Mandate in this cause.

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219 The Board of Supervisors of Wayne County, Mich. Holmes et al, Plffs. in Error.
vs.
J. H. Kennicott et al

This cause was argued by Mr. C. C. Doggs, of counsel for the plaintiffs in error, and by Mr. Samuel J. Brooks, of counsel for the defendants in error.

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223 Frederick Vieler et al, Plffs. in Error.
vs.
C. C. Arthur, Collector, &c.

This cause was argued by Mr. Stephen S. Clarke, of counsel for the plaintiffs in error, and by Mr. Assistant Attorney General Smith, of counsel for the defendant in error.

Proclamation being made the Court is adjourned
until Monday next at ten o'clock.

Monday January 31st 1881

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller, Stephen J. Field, Joseph P. Bradley, John M. Harlan, William B. Woods, Associate Justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Assistant Attorney General Smith, it is ordered that John S. Simms, Esquire, of Corpus Christi, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Elliott F. Shepard, it is ordered that George B. Wright, Esquire, of India-

napolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Lewis C. Brigham, it is ordered that Washington B. Williams, Esquire, of Jersey City, and Charles A. Courtis, Esquire, of Hackensack, State of New Jersey, be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

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200 The Congress & Empire Spring Company, Plff. in Error. vs. Dexter C. Knowlton jr. and C. D. Knowlton, administrators of D. C. Knowlton, deceased.

In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel—

On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum, that similar judgments bear in the Courts of the State of New York.

per Mr. justice Woods.

Dissenting:
Mr. Justice Harlan.

John Barrell,	In Error to
208 vs. Aff. in Error.	the Supreme
O. J. Holmes, as guardian ad	Court of the
litem of Charles Love, Susan	State of
A. Love, Franklin Love, Bur-	Iowa.
ton Love, Edward Love, Claude	
E. Love, and David J. Love.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Woods.

The New York & Wilmington Steamship Company, Appellant.
vs.
William H. Mount, Adam Partridge, Gordon D. White, Orrin D. Longstreet, Dennis Young, et al.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree reversing the decree of the District Court and

giving directions for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Bradley.

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127 | James S. Trimble, Appellant. vs. Joshua and Ann Woodhead. | Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Order

Ordered, that in all cases decided prior to the first day of January, where no petition for re-hearing is pending, the Mandate may be issued after this date when applied for.

37	Isaac H. Lord, Plff. in Error vs. The Goodall, Nelson & Perkins Steamship Co.	On consideration of the motion for an order granting leave to the Clerk to issue the Mandate in this cause - It is ordered that said motion be, and the same is hereby, granted.

150	Leopold Damburger, Plff. in Error vs. Geo. C. Perry, Receiver.	On consideration of the motion for an order granting leave to the Clerk to issue the Mandate in this cause - It is ordered that said motion be, and the same is hereby, granted.

66	The New York & Wilmington Steamship Company, Appellant vs. William H. Mountford et al.	Ordered by the Court that leave be, and the same is hereby, granted the Clerk to issue the Mandate in this cause.

Monday January 31st 1881, continued

Retirement of Mr. Justice Swayne

Mr. Attorney General Devens addressed the Court as follows

May it please your Honors,

The Bar were aware last Monday, when Mr. Justice Swayne delivered the opinion, the preparation of which had been entrusted to him, that they were listening to his words for the last time in this place. His retirement, in advanced life indeed, yet with his natural forces unabated, is an event that they would not willingly pass without proper expression of the respect in which they hold his eminent public services, and of the honor and love which they bear to him personally.

Nineteen years have passed since he became a Justice of this Court, with one exception the Senior Associate, detained from us during this Term by a protracted and distressing illness, all who originally sat with him are gone. While no "cold gradations of decay" have given admonition of the necessity of repose, he has deemed it wiser to seek it.

His judicial life includes a great historic

or perhaps, I should say the historic periods, one the supplement and consequent of the other.

The novelty and importance of the questions that were at once pressed upon the attention of the Court by the civil war will be readily admitted when we remember that questions concerning all the rights of belligerents, of confiscation, prize, blockade, and non-intercourse were to be at once discussed.

The vast expenditures required new systems and modes of raising revenue, and the legislation by which it was sought to meet the exigency became here, of necessity, the subject of inquiry and interpretation.

His last opinion considers fully the important subject of the income tax imposed by the United States, and defines clearly and authoritatively the meaning of "direct taxation" as the term is used in the Constitution.

At the close of the war came the period of reconstruction. As pointed out by Mr. Justice Swayne himself, it was sixty one years since there had been any amendment of the

Constitution. All the earlier amendments had been prompted by the anxiety of the States lest their autonomy should be invaded by the Federal Government, but a time had arrived when it was clearly necessary that rights acquired and results determined by the civil war should be placed under the guardianship of the Federal Government, and this was done by three constitutional amendments.

The great power possessed by this Court, that of declaring a law, which had the sanction of all the forms of legislation, void, because in violation of the constitution, had been exercised before this era in but two instances, which are found in the cases of Marbury vs. Madison and Scott vs Sanford. But there followed upon the amendments, and the consequent legislation, a large series of constitutional inquiries which are by no means concluded.

In all these great judicial debates, the subjects of which I have so hastily sketched, Mr. justice Swayne bore his full share. His ability, his learning, his acquirements, and his ready capacity to acquire, his calm judg-

ment and his sound common sense caused his influence to be everywhere felt in all their various stages.

His opinions, which will be found in more than one-third of the volumes of the U. S. Reports commencing with the first of Black and extending through the twelfth of Otto some thirty seven volumes - are the enduring monument of his honestly earned fame as a jurist.

Such a fame may appear to the casual observer less brilliant than that of the orators, the soldiers, and the statesmen who were his contemporaries when it was won, yet it is not less dear, nor less valuable, in the eyes of every thoughtful lover of the institutions of this Republic.

The singularly amiable, disposition and cordial manner of Mr. Justice Swayne were irresistibly attractive to all who practiced before him. He had a patience which was proof against dullness. He would listen after he himself was satisfied, in order that counsel might feel they had been fully heard.

I have not spoken of his anxiety to

do always what was just and right. Happily I stand before a tribunal which has endured nearly an hundred years, upon no member of which was there ever the imputation that he did not mean to deal justly, and to do the right as it was given him to see the right. It was one of Mr. Justice Swayne's strongest characteristics.

In the fine chapter of the Old Testament which describes the farewell of the aged Samuel to his people, ruler, priest and judge though he was, he desires to know, before he parts with his power to Saul, if he has done wrong to any man that he may then rectify it. "I am old and gray-headed," says he, "but, behold, here I am. Whose ox or whose ass have I taken? Whom have I defrauded? Whom have I oppressed? Of whose hands have I received any bribes to blind mine eyes?" And the people answered, "The Lord is our witness, there is no such man."

Sure I am that should the distinguished magistrate who retires from the Bench ask "Who is there that has stood before me to whom I have not striven to do

equal and exact justice?" The answer would be like that of the Hebrew people to the royal Judge of Israel "There is no such man."

The good wishes of all will go with him in his honorable retirement, as he devotes himself to those literary studies which have long been his delight, and by the dearer comfort of friends and family. As he may look back to the life that is past, without regret, so he may look forward with serenity and confidence.

At a meeting of the Bar held this morning, over which Mr. Shellabarger presided, and of which Mr. J. K. McKinney was Secretary, the resolutions which I read were unanimously passed.

Resolutions

Resolved, That the members of the Bar have learned with deep regret that in the opinion of Mr Justice Swayne, the time has arrived when he should relinquish the labors and duties of the Bench which he has so long adorned.

Resolved, That at the conclusion of his long and honorable career, the Bar deem it alike their

duty and their privilege to express their sentiments of sincere respect for Mr. Justice Swayne, which have been inspired by the large capacity, the full and accurate learning, the patient and persistent investigation, the anxious desire to do justice, the genial and benevolent courtesy he has uniformly accorded to the members of the Bar, which have distinguished him throughout the long period of his service on the Bench of the Supreme Court.

Resolved, That the Attorney General be requested to present these resolutions to the Court and ask that they may be entered on its minutes and communicated to Mr. Justice Swayne.

Mr. Chief Justice Waite replied as follows-

The resolutions of the Bar, and your remarks, Mr. Attorney General, are no more than is due to the occasion, and we take pleasure in directing that they be entered on our minutes.

Judge Swayne took his seat here at the beginning of the late civil war, when the Chief Justice was considerably more than eighty years of age, and four out of the five associ-

duties were either new or but little understood. He came fresh from a large and successful practice at the Bar, and brought with him an unusual familiarity with adjudged cases and settled habits of labor and research, as might be expected he soon became one of the most useful members of the Court, and took an active and leading part in all its work. During the nineteen years of his judicial life both public and constitutional law have been presented to the Court in a great variety of phases, and each successive term brought its new cases and its consequent new questions. What part he bore in this important service, and how well he bore it, is best shown in the pages of the thirty-seven volumes of our reports which have been filled since he came on the bench. Being favored with uninterrupted good health and great capacity for endurance he has rarely been absent from his seat here, or in the consultation room, when required, and never except from necessity. His record as a Judge is consequently the record of the Court during his service, and in his voluntary retirement -

He can have the satisfaction of feeling that his judgments here and elsewhere have been as he believed to be right. If at times he differed from his associates, he could always give a reason for what he did. His courtesy of manner on and off the bench will never be forgotten, and he carries with him as he leaves the Court the esteem of every one of his associates. It has been his good fortune to be not only a student of the law, but of general literature as well. He has always been a welcome guest wherever he has gone, and we hope he may live long to enjoy the reputation he has won, the society of his family and friends and the pleasure of his books.

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551 Charles Kern, vs. Plff. in Error.
F. H. Huidekoper et al.
and
554 Charles Kern et al. vs. Appellants.
F. H. Huidekoper et al.

On motion of Mr. J. D. McDonald in behalf of Mr. Henry Crawford, leave is hereby granted him to file brief on behalf of defendants in error and appellees in these causes.

171 The Connecticut General Life Insurance Company. vs. Charles F. Eldredge. Appellant. | On motion of Mr. Enoch Totten, of counsel for the appellee, Leave is hereby granted the Clerk to issue the Mandate in this cause.

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175 Joseph T. Page, admr, &c. vs. Bernard Bernstine. Appellant. | On motion of Mr. Enoch Totten, of counsel for the appellee, Leave is hereby granted the Clerk to issue the Mandate in this cause.

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853 Richard C. Daniel, vs. The Board of Supervisors of Lowndes County Mississippi. Plff. in Error. | In Error to the District Court of the United States for the Northern District of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and on the stipulation

of counsel on file and motion of Mr. Van H. Manning - It is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

895	Francis O. Hinckley, Appellant. vs. Levi P. Morton, et al.	The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. Biddle Roberts, in support of the same, and by Mr. Leonard Swett, in opposition thereto.

Proclamation being made, the Court is adjourned until Monday, February 28th, at twelve o'clock.

Monday February 25th 1861

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William S. Woods	

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Attorney General Bates, it is ordered that Benjamin Harrison, Esquire, of Indianapolis, State of Indiana, William D. Bliss, Esquire, of Petaluma, State of California, and S. Frank Clapp, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in his behalf by Hon. Thomas F. Bayard, it is ordered that Henry Deringer, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. J. W. F. Flower, it is ordered that Charles D. F. Smith, Esquire, of Aurora, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. N. H. Wells, it is ordered that F. A. Eustis, Alembert Pond, and Winsor B. French, Esquires, of Saratoga Springs, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in

this behalf by Mr. Philip Phillips, it is ordered that Edward D. Clark, Esquire, of Vicksburg, and J. J. Yerger, Esquire, of Jackson, State of Mississippi, be admitted to practice as attorneys and counsellors of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. F. M. Cockrell, it is ordered that Newton Crane, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. H. Smith, it is ordered that S. S. Burdett, Esquire, of the State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. W. Stone, it is ordered that Mark S. Brewer, Esquire, of Pontiac,

State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. W. Wilson, it is ordered that Andrew M. Purman, Esquire, of Waynesburg, State of Pennsylvania, Stanton J. Peelle, Esquire, of Indianapolis, and Robert D. F. Pierce, Esquire, of Crawfordsville, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. N. Whitehall, it is ordered that Oliver C. Sabin, Esquire, of Saybrook, State of Illinois, and J. J. Henderson, Esquire, of Portland, State of Oregon, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. S. Shellabarger, it is or-

dered that J. N. Broady, Esquire, of Brownsville, State of Nebraska, and W. H. Fleischheimer, Esquire, of Portland, State of Oregon, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. Mariner, it is ordered that W. H. Harley, Esquire, of Wausau, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1034 The City of Chicago, Plff. in Error. vs. Thomas Tilley. | In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It

is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Woods.

Thomas Tilley,		In Error to the
1035	vs. Plff. in Error.	Circuit Court of
The City of Chicago and		the United States
The County of Cook.		for the Northern
		District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel - On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

903	The Town of Unity, Plff. in Error. vs. Noah A. Burrage, Henry S. Crowell, & Alphonso J. Robinson as Receivers of The Mercantile Institution for Savings.	In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Woods.

75	Tipton County, vs. The Rogers Locomotive and Machine Works.	Plff. in Error.
76	Tipton County, vs. Norton, Slaughter & Co.	Plff. in Error.
77	Tipton County, vs. J. T. Edmunds & Co.	Plff. in Error.

The opinion of the Court in these cases was filed. per Mr. Justice Harlan

209	The People Ex rel: John T. Hauman, vs. The Commissioners of Taxes & Assessments of the City of New York.	Plff. in Error.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a remittitur from the Court

of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

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176 Robert Mitchell, Plff. in Error. vs. H. H. Overman, Admr. of Conrad Stutzman, deceased.

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same

is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

per Mr. Justice Harlan.

996	The Township of Harter, Appellant. vs. John C. L. Kennochan.	Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

168	Charles J. Folger, Appellant. vs. The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Field
" " Bradley.

25	Richard A. Pilgrim, Appellant. vs. William Proctor et al.	The opinion of the Court in this cause was

filed.

per Mr. Justice Bradley.

	The United States, Exrel: Rebecca H. Wolff,	
766	vs. Plff. in Error.	In Error to the Circuit Court of the United States for the District of Louisiana.
	The Mayor and Administrators of the City of New Orleans	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel— On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; And that this cause, be, and the same is hereby, remanded to the said Circuit Court with directions to issue the writ as prayed in the petition of the relator.

per Mr. Justice Field.

320

Richard Prewit and Josephine Prewit, vs. Robert H. Wilson, assignee in bankruptcy of Richard Prewit. } Appeals from the Circuit Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; And that this cause, be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill of complaint.

per Mr. Justice Field.

Sarah C. Pennock, et al.,
Nicolls, C. M. Nicolls, J. F.
Chamberlain & H. E. Haxton,
119 vs. Plaintiffs in Error.
The Board of County Commissioners of Franklin
County, George D. Hinebaugh,
Clerk, and Hilo R. Harris,
Treasurer of Franklin County.

In Error to the Supreme Court of the State of Kansas.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

190 Harvey Terry, Appellant. vs. John J. McLure, Receiver of the Bank of Easterville. | Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

191	Henry Moyer and Delsey Moyer impleaded with Clinton Eldridge, vs. James E. Dewey, James Reid et al.	In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

191	The Milwaukee National Bank of Wisconsin, vs. The City Bank	In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs, and that this cause, be, and the same is hereby, remanded to the said Circuit Court with instructions to grant a new trial.

per Mr. Justice Miller.

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207 Thomas B. Coddington, Appellant, vs. The Pensacola & Georgia Railroad Company, The Trustees of the Internal Improvement Fund of the State of Florida et al. | Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the North-

ern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Stephen E. Jones, Assignee in bankruptcy of H. A. Walker & Co.,

512 vs. Appellant.

Fred. K. Hacker, Mary D. Hacker and James G. Reed, Executors of H. K. Hacker, deceased, et al.

Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed

with costs.

per Mr. Justice Miller.

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201 The Pacific Mail Steam Ship Company, vs. The United States, Appellant. | Appeals from the Court of Claims

and

202 The United States, vs. The Pacific Mail Steam Ship Company, Appellant. |

This cause came on to be heard on the transcript of the record from the Court of Claims on appeal and cross appeal and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed; And that this cause, be, and the same is hereby, remanded to the said Court of Claims with instructions to render a judgment in conformity with the opinion of this Court

Monday February 28th 1881, Continued

18	Hallet Kilbourn vs. Plff. in Error. John G. Thompson.	The opinion of the Court in this cause was filed. per Mr. Justice Miller.

18	Hallet Kilbourn, vs. Plff. in Error John G. Thompson et al.	Ordered by the Court that the judgment entered in this cause on the 24th day of January, 1881, be, and the same is hereby, rescinded and vacated. per Mr. Justice Miller.

18	Hallet Kilbourn, vs. Plff. in Error. John G. Thompson, John W. Mears, J. D. Neu, A. B. Lewis & C. Herr Smith.	In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court

that the judgment of the said Supreme Court in this cause, over-ruling the demurrer of the plaintiff to the plea of the defendants Glover, Rice, Lewis, and Smith, &c, and the same is hereby, affirmed; And as to the defendant Thompson; said judgment be, and the same is hereby, reversed with costs; And that this cause, &c, and the same is hereby, remanded to the said Supreme Court for further proceedings.

It is further ordered that this judgment be entered nunc pro tunc as of the 24th of January, 1881.

per Mr. Justice Miller.

Ex parte: In the matter of John A. Davis & John M. Graff — Petitioners.

5 original.

On consideration of the petition for a writ of Mandamus filed in this cause — It is ordered that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

938	William Ashburner, vs. The People of the State of California.	Plff. in Error.	In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

1112	James H. Wilson, Receiver of the St. Louis & Southwestern Railway Company, vs. James L. Haines, Comptroller of the Treasury of the State of Tennessee.	Plaintiff in Error.	In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the

transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

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157 The Annapolis & Elk Ridge Railroad Company, Plaintiff in Error
vs.
The County Commissioners of Anne Arundel County.

In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment

of the said Court of Appeals of the State of Maryland, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

William Hicks,		Appeal from the
165	vs. Appellant.	Circuit Court of
Henry F. Ostrum.		the United States
		for the Southern

District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

	The New Haven and Northampton Co.	In Error to the Supreme Court of Errors of the State of Connecticut.
93	vs. Plff. in Error.	
	William Hamersley.	

This cause came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel— On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court of Errors, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

	The County of Jasper	In Error to the Circuit Court of the United States for the Southern District of Illinois.
1063	vs. Plff. in Error.	
	George William Dalton.	

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Waite.

1131 The Mayor & Council of the City of Louisiana, Plffs. in Error vs. The United States Ex rel: Thomas J. Wood.

In Error to the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in

this cause, &c, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Taney.

William Knightman and Charles Day, 194 vs. Appellants. William C. Markshal.

Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, &c, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Taney.

George Crouch, 196 vs. Appellant. William Romer.

Appeal from the Circuit Court of the United States for the District of New Jersey.

Monday February 28th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel— On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

	The United States,	
815	vs. Appellant.	Appeals from the Court of Claims.
	Henry W. Hubbell	
	and	
	Henry W. Hubbell	
816	vs. Appellant.	
	The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross-appeal, and was argued by counsel — On consideration whereof, the Court being equally divided in opinion, It is now here ordered and ad-

judged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

	The United States,	
817	vs. Appellant.	
	Henry H. Hubbell	Appeals from the Court of Claims.
	and	
	Henry H. Hubbell	
818	vs. Appellant.	
	The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

Monday February 28th 1881, continued

819 The United States, Appellant. vs. The Sun Mutual Insurance Co. and

820 The Sun Mutual Insurance Co. Appellant. vs. The United States.

Appeals from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

121	The United States, Appellant. vs. The China Mutual Insurance Co. and The China Mutual Insurance Co., Appellant. vs. The United States. 122	Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

Monday February 28th 1881, continued

823 The United States, Appellant vs. John C. Miller, administrator of Enoch T. Miller, deceased.

and

834 John C. Miller, administrator of Enoch T. Miller, deceased. Appellant vs. The United States.

Appeals from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

Monday February 25th 1861, continued

125 The United States, Appellant. vs. John P. Faulison, Administrator of Matthew Rooney, deceased.

And,

126 John P. Faulison, Administrator of Matthew Rooney, deceased, Appellant. vs. The United States.

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross appeal, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

730	The City of Waco, vs. Plff. in Error. Nelson Beall	On motion of Mr. P. Phillips, of counsel for the plaintiff in error, and stipulation on file, It is ordered that this cause, be, and the same is hereby, continued until the next term.

455	Charles A. Snyder, vs. Appellant, Morris Marks, Collector of Internal Revenue.	The motion to dismiss this appeal or affirm the decree in this cause, was submitted to the consideration of the Court, on the record and printed arguments by Mr. Assistant Attorney General Smith, in support of the same, and by Messrs. J. L. Rouse and Hm. Grant, in opposition thereto.

1119	Gertrude H. Kensett, vs. Appellant. Moses L. Rivers, Collector of Internal Revenue, et al.	The motion to dismiss this appeal or affirm the decree in this cause was submitted to the

consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Smith, in support of the same, and by Mr. E. L. Fancher, in opposition thereto.

865	William Neal, Aff. in Error. vs. The State of Delaware.	Mr Edwin D. Smith filed and submitted to the consideration of the Court, motion to advance this cause

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544	The United States, appellant. vs. Thomas P. Morgan & George Rhinehart.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Assistant Attorney General Smith, of counsel for the appellant, It is now here ordered and adjudged by this Court, that this appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Waite.

	Hyde C. Calhoun, Trustee, &c., Frederick Wilhelm Oertel, Abram Carl Hertheim, D. L. Sampsel, & Carl Hertheim,	Appeal from the Circuit Court of the United States for the District of Indiana.
1129	vs. Appellants.	
	Samuel Orr & William Hacker, intervening petitioners.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and on the motion of Mr. J. H. Ashton, in behalf of Mr. B. F. Briston, of counsel for the appellants, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	George P. Humphrey,	The motion to dismiss this cause was submitted to the consideration of
1069	vs. Appellant.	
	Sanford Baker.	

the Court on the record and printed ar-

yuments by Messrs. Theodore Romeyn and A. H. Wells, in support of the same, and by Mr. John Atkinson, in opposition thereto.

661	James Patterson for the use of T. J. Brower, vs. Cornelius Zynde Jr.	Pltff. in Error.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Messrs. C. W. Osborne and T. J. Henderson, in support of the same, and by Mr. S. H. Packard, in opposition thereto.

795	John S. Farlow, Receiver, &c., vs. Sylvanus Kelly.	Appellant.

The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Messrs. R. P. Buckland and J. Hamm Reifer, in support of the same, and by Mr. S. H. Bowman, in opposition thereto.

38	Alfred H. Andrews et al., Plffs. in Error. vs. Henry W. Congar.	The motion to recall the Mandate issued in this cause was

submitted by Mr. George Herbert, in support of the same.

193	Samuel P. Walker's Executors et al., Appellants. vs. The United States.	On motion of Mr. Assistant Attorney General Smith, It is ordered by the Court that

this cause, be, and the same is hereby, passed.

224	Theodore Yates, Plff. in Error. vs. The National Home for Disabled Volunteer Soldiers.	This cause was submitted to the consideration of the Court, on the record and printed argument by Mr. L. S. Dixon, of counsel for the plaintiff in error. No counsel appearing for the

defendant in error.

The German National Bank of Chicago,
775 vs. Appellant.
Mark Kimball, Collector, &c.

The argument of this cause was commenced by Mr. J. M. Flower, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 1st 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present-

Hon Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. W. F. Sapp, it is ordered that E. E. Cooley and G. R. Willett, Esquires, of Decorah, State of Iowa, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. Wm Pinckney Whyte, it is ordered that Benjamin Price, Esquire,

of Baltimore, State of Maryland be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Mandeville, it is ordered that J. J. Barker, Esquire, of Emporia, State of Kansas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. T. J. Henderson, it is ordered that James McCartney, Esquire, of Springfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. W. S. Southard, it is ordered that Allen Zollars, Esquire, of Fort Wayne, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Tuesday March 1st 1831, continued

2, Original	The State of Connecticut, Complainant. vs. The State of New York.	Bill in Equity.

On motion of Mr. C. R. Ingersoll, of counsel for the complainant and Stipulation of counsel on file, It is now here ordered by this Court that the bill of complaint in this cause, be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taite.

228	Edward Miller & Co., Appellants. vs. The Bridgeport Brass Co.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John S. Beach, of counsel for the appellants, and by Mr. C. R. Ingersoll, of counsel for the appellee, with leave to counsel for the appellee to file additional brief within ten days.

134	H. C. G. Hartman, vs. Plff. in Error. Samuel C. Stanton, Treasurer, &c.	On motion of Mr. H. St. Mauro, leave is hereby granted the Clerk to issue the Mandate in this cause.

225	The German National Bank of Chicago, vs. Mark Kimball, Collector, &c.	The argument of this cause was continued by Mr. J. M. Flower, of counsel for the appellant, by Mr. Consider H. Willett, of counsel for the appellee, and concluded by Mr. J. M. Flower, of counsel for the appellant.

226	Antoine Dubuclet, vs. Plff. in Error. The State Ex rel: John C. Monroe.	This cause was argued by Mr. Conway Robinson, of counsel for the defendant in error, and submitted on printed argument by Mr. John Ray, of counsel for the plaintiff in error.

227	The New York Life Insurance Company, Plff in Error. vs. E. C. Bangs by his guardian C. K. Davis.	Mr. H. of Maury, of counsel for the plaintiff in error, moved the Court that this cause be continued until the next term and that it be heard with No. 693 when that case is reached in regular call, or that both cases be assigned for a day certain at the present term. Whereupon, this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

227	The New York Life Insurance Company, Plff in Error. vs. E. C. Bangs, by his guardian C. K. Davis.	Ordered by the Court, that this cause be, and the same is hereby, passed until tomorrow.

229	The Newport & Cincinnati Bridge Company, Appellant. vs. The United States.	On motion of Mr. Stanley Matthews, ordered that

one hour additional time be allowed each side in the argument of this cause.

229	The Newport & Cincinnati Bridge Company, Appellant. vs. The United States.	The argument of this cause was commenced by Mr. William M. Ramsey, of counsel for the appellant and continued by Mr. Solicitor General Phillips, of counsel for the appellee.

263	The Indiana & Illinois Central Railway Co., Appellant. vs. Henrietta P. Sprague.	On motion of Mr. J. E. McDonald, of counsel for the appellant, and stipulation on file, It is ordered that the transcript of the record now presented be substituted for the transcript originally filed in this cause.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday March 2nd 1881

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
} Associate Justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

On motion first made to the Court in this behalf by Hon. D. W. Voorhees, it is ordered that George F. Hall, Esquire, of Bangor, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. F. M. Cockrell, it is ordered that A. H. H. Hatch, Esquire, of Hannibal, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in
this behalf by Hon. J. M. Wilson, it is ordered
that Noble Smithson, Esquire, of Pulaski,
State of Tennessee, be admitted to practice
as an attorney and counsellor of this Court
and he was sworn accordingly.

On motion first made to the Court in
this behalf by Mr. Hiram Barber jr, it is
ordered that L. F. Jackson, Esquire, of Chi-
cago, State of Illinois, be admitted to practice
as an attorney and counsellor of this Court
and he was sworn accordingly.

On motion first made to the Court in this
behalf by Mr Assistant Attorney General
Smith, it is ordered that Addison Brown,
Esquire, of New York City, be admitted to
practice as an attorney and counsellor of this
Court and he was sworn accordingly.

On motion first made to the Court in
this behalf by Hon. E. F. Lapham, it is
ordered that F. O. Sutherland, Esquire,
of Mt. Morris, State of New York, be ad-

mitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

227	The New York Life Insurance Company, vs. Pff. in Error. E. C. Bangs by his guardian C. K. Davis — and, The New York Life Insurance Company, vs. Appellant. E. C. Bangs by his guardian C. K. Davis.	Ordered by the Court that case No. 693 be advanced and heard with case No. 227, as one case, at the present term, if the defendant in error in No. 227 shall so elect, but in case he shall not so elect, then No. 227 to be continued until the next term.

545	The United States, vs. Appellant. Thomas P. Morgan & George Rhinehart.	On motion of Mr. J. L. McPherson, leave is hereby granted the Clerk to issue the Mandate in this cause.

Thursday March 2nd 1882, continued

716	Mary D. Milton, William C. Clark, and Virginia, his wife, vs. The Southern Life Insurance Company, O. Woodridge, C. J. Tattersen & J. C. Morris, Assignees.	In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and on the authority of the counsel for the plaintiffs in error on file and motion of Mr. Fillmore Beall, in behalf of counsel, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Mayor, Aldermen & Commonalty of the City of New York and the Fire Department of the City of New York,
599 vs. Plaintiff in Error.
Robert Pallett.

In Error to the Circuit Court of the United States for the Southern

District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the stipulation of counsel on file and motion of Mr. Fillmore Beall in behalf of counsel, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby dismissed, Clerk's costs in this Court to be paid by plaintiffs in error.

per Mr. Chief Justice Taney.

Charles E. Goodman,
1000 vs. Appellant.
William E. Hillack.

On motion of Mr. Fillmore Beall, leave is hereby granted

the Clerk, nunc pro tunc, as of the 7th day of February, 1881, to issue the Mandate in this cause.

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729 The Newport & Cincinnati Bridge Company, vs. The United States. | Appellant. | The argument of this cause was continued by Mr. Solicitor General Phillips, of counsel for the appellee, and concluded by Mr. Stanley Matthews, of counsel for the appellant.

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731 Joseph Keyhart, vs. The Fourth National Bank of Chicago. | Plff. in Error. | In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute

this writ of error, and failing to appear—
It is, thereupon, in pursuance of the 16th
rule of this Court, and on motion of Mr.
Addison Brown, of counsel for the defendant
in error, now here ordered and adjudged by
this Court that this cause be, and the same
is hereby, dismissed with costs; And that this
cause be, and the same is hereby, remanded
to the said Circuit Court to be proceeded in
according to law and justice
per Mr. Chief Justice Waite.

232	The Central National Bank of Baltimore, vs. The Royal Insurance Co.	Pltff. in Error.	This cause was argued by Mr. George Bliss, of counsel for the plaintiff in error, and by Mr. Joseph Larocque, of counsel for the defendant in error.

233	George W. Bayly, vs. The Washington & Lee University.	Pltff. in Error.	Ordered by the Court that this cause be, and the same is hereby, continued until

Wednesday March 2nd 1881, continued

The next term.

	Schuyler's Steam Tow Boat Line,	
734	vs. Appellant.	Ordered by the Court that these cases be, and the same are hereby, passed on account of sickness of counsel.
	M. M. Cate:	
	M. M. Cate,	
735	vs. Appellant.	
	Wm. H. Foote et al.,	
	and	
	Chas. & Arthur Wilson,	
736	vs. Appellants.	
	M. M. Cate.	

	Henry M. Bacon,	This cause was argued by Mr. D. H. Jackson, of counsel for the plaintiff in error. No counsel appearing for the
737	assignee, &c., vs. Plff. in Error.	
	The International Bank of Chicago.	

defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday March 3rd 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices
Stephen J. Field — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William B. Woods — Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. L. Shipman, it is ordered that Guy C. Noble, Esquire, of St. Albans, State of Vermont, and C. H. Talbot, Esquire, of West Chester, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter Evans, it is ordered that E. H. Bagby, Esquire, of Paducah, State

of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Mackinley, it is ordered that James A. Carmichael, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Stanley Matthews, it is ordered that John C. Hamilton, Esquire, of Covington, State of Kentucky, Gibson Harrison, Esquire, of Seward, State of Ohio, and J. H. Ryon, Esquire, of Pottsville, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. F. Bowman, it is ordered that Andrew Higgin, Esquire, of Boston, State of Massachusetts, be admitted to prac-

lice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jot Damard, it is ordered that Thomas S. Cogley, Esquire, of La Porte, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. M. Watson, it is ordered that N. C. Green, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

C. of. Arthur, Collector, &c,		This cause was
735 vs.	Hyp in Error	argued by Mr.
Max Jacoby et al		Assistant Attorney General

Smith, of counsel for the plaintiff in error, and by Mr. Lewis Sanders, of counsel for the defendants in error.

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239 The United States vs. Plff. in Error
The Erie Railway Co.

This cause was argued by Mr. Assistant Attorney General Smith, of counsel for the plaintiff in error, and by Mr. H. D. Shipman, of counsel for the defendant in error.

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240 Wm. H. Seward et al, vs. Appellants.
J. B. Comeau, Sheriff, &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. N. Ogden, of counsel for the appellants, and by Messrs. E. F. Merrick and S. H. Lee, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday March 4th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
} Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

The Court allowed the inauguration of James A. Garfield President of the United States.

Proclamation being made the Court is adjourned until Monday next at twelve oclock.

Monday March 7th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

Mr. Attorney General Devens addressed the Court as follows,

May it please the Court,

The Executive administration of public affairs of which I have been a member, and on whose behalf I, with my associates, have represented here for the last four years the causes in which the United States has been a party litigant, has come to an end by the expiration of its constitutional pe-

mid of limitation.

In taking my leave of the Court, I desire to express my thanks for the kindness and courtesy I have always received, and my full appreciation of the patient consideration which has been given to the grave and important questions it has been my duty to discuss.

On such an occasion I trust it is not intrusion, to wish individually to those before whom I stand health, happiness and long continued ability to serve the Government whose highest judicial magistrates they are.

Of those to whom I was originally introduced in my official capacity four are absent from their judicial seats today - two in honored retirement voluntarily sought after lives of long and laborious duty; two detained from us by the heavy hand of serious disease - but I would not forget all I owe to them, and would include them in every good wish that might be appropriate either in retirement or sickness.

The changes of these four short years necessarily remind us how steadily the inevit-

ible hour approaches for all. But if men are mortal, institutions strongly founded and wisely administered may be made almost to defy the ravages of time. And long after the Justices before whom I have stood shall be at rest in their honored graves, I will venture to hope that this Court, sustained by their labors as they have been sustained by those of their predecessors, will still be found restraining within their just limits each branch of the Government, stilling the contentions of great and powerful States, defining their just relation to the Union which the people of all the States have made, and contributing "to establish justice and to secure the blessings of liberty" which the noble preamble to the Constitution enumerates as among its high purposes.

As my last official act I have the pleasant duty of presenting as the Attorney General of the United States, Mr. Wayne McVeagh, of Pennsylvania, a gentleman well known to this Court as one of its most trusted counsellors, and of asking for him the same kindness I have

always enjoyed.

Mr. Chief Justice Waite replied as follows,

I am sure I express the opinion of the Court when I say to you Mr. Evarts that you will carry with you into your retirement the best wishes of every one of its members. Our relations both personal and official during the four years of your laborious service have been of the most agreeable character and we part from you with sincere regret. You have always been welcome officially as an advocate and personally as a friend.

Mr. MacVeagh presented the following Letters Patent which were ordered to be entered of record -

James A. Garfield -

President of the United States of America -

To all who shall see these presents Greeting:

Know Ye; That reposing special trust and confidence in the patriotism, Integrity, and abilities of Wayne MacVeagh, of

Pennsylvania, I have nominated, and, by and with the advice and consent of the Senate, do appoint him to be Attorney General; and do authorize and empower him to execute and fulfil the duties of that Office according to law and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto him the said Wayne MacVeagh, subject to the conditions prescribed by law.

In testimony whereof, I have caused these Letters to be made Patent and the seal of the United States to be hereunto affixed. Given under my hand, at the City of Washington, the Fifth day of March, in the year of our Lord, one Thousand, eight Hundred and eighty-one, and of the Independence of the

(Seal)

United States of America the one hundred and fifth.

James A. Garfield.

By the President:
Wm M. Evarts,
Secretary of State.

On motion first made to the Court in this behalf by Hon. T. M. Cockrell, it is ordered that John Doniphan, Esquire, of Saint Joseph, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. T. Merrick, it is ordered that N. T. Mills, Esquire, of Clinton, Oneida County, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

Whereupon on Mr. H. N. Partridge, it is ordered that Henry L. Ogden, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. N. Smith, it is ordered that Cary F. Cowgill, Esquire, of Wabash, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Attorney General Macleagh, it is ordered that James A. Beaver, Esquire, of Bellefonte, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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165 William Read, Plff. in Error. vs. The State of Delaware.

On consideration of the motion to advance this cause, It is ordered that said motion be, and the same is hereby, granted, and the case assigned for argument on the 16th instant at the head of the call for that day.

Per Mr. Chief Justice Waite.

1156 Henry C. Turner, Plff. in Error. vs. The State of Maryland.

Mr. C. J. Cross filed and submitted to the consideration of the Court, motion to advance this cause. And leave granted counsel for the defendant in error to file brief in opposition thereto.

1170 Richard C. Kinsley & James Weston, Appellants. vs. The Union Depot & Railroad Company et al.

The motion to vacate the judgment of dismissal entered in this cause was submitted to the consideration of the Court

by Mr. H. A. Smith, in support of the same and by Mr. H. M. Teller, in opposition thereto.

1057	The Sioux City & Pacific Railroad Company, Plff. in Error, vs. The United States.	The motion to dismiss or affirm this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. assistant attorney General Smith, in support of the same, and by Messrs. J. F. Wilson, Samuel Shellabarger & J. M. Wilson, in opposition thereto.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 8th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Associate Justices.

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith, it is ordered that Anthony Higgins, Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford Anderson, it is ordered that Henry K. McKay and George

S. Thomas, Esquires, of Atlanta, State of Georgia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

1120 The Atlanta & Richmond Air Line Railway Co., vs. Plff. in Error. The State of Georgia

and

1121 The Atlanta & Charlotte Air Line Railway Co., vs. Plff. in Error. The State of Georgia

Mr. Clifford Anderson filed and submitted to the consideration of the Court, motion to advance these cases.

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731 Schuyler's Steam Tow Boat Line, vs. Appellant. W. W. Caleb.

735 Madison W. Caleb, vs. Appellant. William H. Foote et al

and

736 Charles & Arthur Wilson vs. Appellants. W. W. Caleb.

These cases were argued by Mr. C. Van Santvoord, of counsel for the appellant in No. 734, & by Mr. T. A. Burke, of

counsel for the appellants in No. 236, and by Mr. Abraham Van Santvoord, of counsel for the appellees in No. 235; And submitted on printed arguments by Mr. S. F. King, of counsel for the appellee in No. 234, and No. 236, and appellant in No. 235.

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241 The Hopkins & Dickinson Manufacturing Co., appellant. vs. P. & F. Corbin et al.

Ordered by the Court that this cause be, and the same is hereby, passed on account of death of counsel for the appellants.

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242 The Philadelphia & Baltimore Central Railroad Co., appellant. vs. The United States.

This cause was argued by Mr. J. F. Farnsworth, of counsel for the appellant, and by Mr. Solicitor General Phillips, of counsel for the appellee.

Thursday March 8th 1821, continued

243	The District of Columbia, vs. Adolf Cluss, use of J. & J. Cresswell et al.	Plff. in Error,	The argument of this cause was commenced by Mr. A. S.

Riddle, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday March 9th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present=

The Honorable Morrison R. Waite Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Associate Justices.

John, G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Austen Browne, it is ordered that James D. Richardson and Moorfield Storey, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and thereupon were sworn accordingly.

On motion first made to the Court in this behalf by Hon. D. H. Voorhees, it is ordered that Rodman L. Davis, Esquire,

of Rising Sun, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. C. Donn, it is ordered that J. Edwards Sail, Esqr., of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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243 | The District of Columbia, vs. Tyler in Error. | The argument of this cause was continued by Mr. Enoch Totten, of counsel for the defendants in error, and concluded by Mr. A. G. Riddle, of counsel for the plaintiff in error.

1111 John S. Kennedy et al, vs. The City of Indianapolis et al, appellants.

This cause was argued by Mr. Benjamin Harrison, of counsel for the appellants, and by Messrs. S. Claypool and David Turpie, of counsel for the appellees.

1115 James L. Sharpe, vs. The Davis Stamping &c. appellant.

The argument of this cause was commenced by Mr. A. V. Brisen, of counsel for the appellant

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Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday March 10th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods — Associate Justices.

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. F. R. Dodge, it is ordered that David McAdam, Edward Jacobs, and Leo Goldmark, Esquires, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

245	James L. Sharp, Appellant. vs. The Dover Stamping Co.	The argument of this cause was continued by Mr.

C. T. Bryson, of counsel for the appellant, by Mr. J. L. S. Roberts, of counsel for the appellee, and concluded by Mr. C. T. Bryson, of counsel for the appellant.

216	S. K. C. Matthews et al., appellants. vs. The Boston Machine Co. et al.	On motion of Mr. George Harding, of counsel for the appellants, ordered that a half hour additional time be allowed each side in the argument of this cause.

216	S. K. C. Matthews et al., appellants. vs. The Boston Machine Co. et al.	The argument of this cause was commenced by Mr. George L. Roberts, of counsel for the appellants, and continued by Mr. Causten Browne, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday March 11th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
} Associate Justices.

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. John T. Morgan, it is ordered that Solomon Heydenfeldt jr, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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800 The Selma, Marion & Memphis Railroad Co., Appellant. vs. Luke P. Blackburn. | Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and on the authority of counsel for the appellant on file and motion of Mr. Fillmore Beall, in behalf of counsel. It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

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900 John A. Dardenne, Appellant. vs. George Nigg. | Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the

transcripts of the record from the Circuit Court of the United States for the District of Louisiana, and on the stipulation of counsel on file and motion of Mr. Fillmore Beall, in behalf of counsel — It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

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900 John A. Lardeme, Appellant. vs. George Nigg.

On motion of Mr. Fillmore Beall, leave is hereby granted the Clerk to issue the Mandate in this cause.

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246 S. R. C. Matthews et al., Appellants. vs. The Boston Machine Co. et al.

The argument of this cause was concluded by Mr. George Harding, of counsel for the appellants.

Friday March 11th 1881, continued

1136	J. D. Kelly, Plff in Error. vs. The State of Virginia	This cause was argued by Mr. C. J. Meredith, of counsel for the plaintiff in error, and by Mr. J. S. Field, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday March 14th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
} Associate Justices.

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. J. G. Abbott, it is ordered that Charles G. Saunders, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Monday March 14th 1881, continued

115	The Northwestern Mutual Life Insurance Company, vs. George P. Nelson, Administrator of William Cook, deceased, Jane Cook et al.	Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for complainant in conformity with the opinion of this Court.

per Mr. Justice Woods.

139	Charles Wall, vs. Plff. in Error. Monroe County.	In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel, - On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

110	The State, Ex rel: Folsom Brothers, vs. Plffs. in Error. The Mayor, &c., of the City of New Orleans.	Ordered by the Court that the submission of this cause under the 20th rule, be, and the same is hereby, vacated and set

aside and the cause restored to its place on the docket for oral argument when

reached in regular call.

per Mr. Justice Field.

1115	The Town of Swan Pickory, Plff. in Error. vs. George D. Ellery.	In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Waite.

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211 John K. Stout and Jacob C. Stout, vs. Francis J. Lyc, Philip Walsh, The First National Bank of Buffalo et al. appellants. | Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

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215 The Mechanics & Traders Insurance Company, vs. Basil S. Riger. Plff. in Error. | In Error to the Circuit Court of the United States for the District of Louisiana.

Monday March 14th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel— On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Frederick Victor, George Victor, Carl Victor, Thomas Victor jr., & Fritz Achellis, Plffs. in Error. vs. Chester A. Arthur, Collector of the Port of New York.

In Error to the Circuit Court of the United States for the Southern District of New York.

223

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel— On consideration whereof, It is now here ordered and adjudged by this

Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr. Chief Justice Waite.

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664 James Patterson, use of T. J. Brower vs. Cornelius Lynde Jr. Aff. in Error.

On consideration of the motion to dismiss this cause, It is ordered that said motion be granted unless the plaintiff in error causes a new citation, returnable on the second Monday in April next, to be issued and served on the defendant in error or his attorneys before that date.

per Mr. Chief Justice Waite.

1057 The Sioux City & Pacific Railroad Company vs. The United States. Aff. in Error.

On consideration of the motion to dismiss or af-

firm in this cause, It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

	Gertrude H. Kensett,	On consideration
1119	vs. Appellant.	of the motion
	Moses D. Rivers, Col-	to dismiss or af-
	lector of Internal Revenue et al.	firm in this
		cause, It is or-

dered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

	Charles A. Snyder,	On considera-
955	vs. Appellant.	tion of the mo-
	Morris Marks, Collec-	tion to dismiss
	tor of Internal Revenue.	or affirm in this
		cause. It is or-

dered that the motion to affirm be denied and that the motion to dismiss be continued for hearing with the cause on its merits.

per Mr. Chief Justice Waite.

795	John D. Farlow, Receiver, &c., vs. Sylvanus Kelly. Appellant.	On consideration of the motion to dismiss this cause- It is ordered that said motion be, and the same is hereby, denied. per Mr. Chief Justice Waite.

1120	The Atlanta & Richmond Air Line Railroad Co, vs. The State of Georgia Plff. in Error.	On consid- eration of the motion to advance these cases, it is ordered that said motion be, and the same is here-
1121	And The Atlanta & Charlotte Air Line Railroad Co, vs. The State of Georgia Plff. in Error.	

by, denied.

per Mr. Chief Justice Waite.

1156	Henry A. Turner, vs. The State of Maryland Plff. in Error.	On consideration of the motion to advance this cause, it is ordered

that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

1170 Richard E. Whitsitt et al., Appellants. vs. The Union Depot & Railroad Company et al.

On consideration of the motion to vacate the judgment of dismissal entered in this cause, it is ordered that said motion be, and the same is hereby denied.

per Mr. Chief Justice Waite.

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31 Alfred H. Andrews et al., Plffs. in Error. vs. Henry W. Congar.

On consideration of the motion to recall the Mandate issued in this cause, it is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

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667 The Florida Central Railroad Company, Appellant. vs. J. Fred. Schulte et al.

668 The Jacksonville, Pensacola & Mobile Railroad Company, Appellant. vs. J. Fred. Schulte et al. and

669 The Western North Carolina Railroad Company, Appellant. vs. Geo. F. Drew, Governor, &c, et al.

On petition of T. B. Coddington for a modification of the opinion in this cause and for leave to move that the Mandate be withheld.

The opinion has already been changed as asked for. No sufficient reason is shown for granting this petitioner leave to move to withhold the Mandate. His application in that behalf is consequently denied.

per Mr. Chief Justice Waite.

Mr. Attorney General MacVeagh presented the Resolutions of the Bar on the death of Hon. W. H. Carpenter which were read and ordered to be filed.

1154

Harvey Ferry et al. vs. Henry L. Elliott, old ministrator of James K. Orihen, deceased, James H. Rion et al.

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on the motion of Mr. Harvey Ferry, of counsel for the appellants, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	The South Park Commissioners	On motion of Mr. Robert Rae, it is ordered that these cases be argued together as one cause.
336	vs. Appellants.	
	William P. Kerr	
	Charles H. Atkins and Elizabeth Ann Phillips	
1087	vs. Appellants.	
	William P. Kerr	
	and	
	William P. Kerr	
1104	vs. Appellant.	
	The South Park Commissioners.	

	Charles H. Atkins & Elizabeth Ann Phillips,	Mr. Fillmore Scott moved to dismiss the appeal of Charles H. Atkins in
1087	vs. Appellants.	
	William P. Kerr.	

this cause which was opposed by Mr. Robert Rae. On consideration whereof, It is now ordered that said motion be postponed for hearing with the case on its merits.

	Wm H. Folsom	This cause was submitted to the consideration of the
253	vs. Appellant.	
	Ann L. Dewey et al.	

Court on the record and printed arguments by Messrs. J. Snow, E. D. Hoge, Arthur Brown, and H. R. Lusenberg of counsel for the appellants, and by Messrs. Samuel Shellabarger and J. M. Wilson of counsel for the appellees.

1-50	Melissa A. Barbour etal, vs. Stephen B. Triest, assignee, &c.	Appellants.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. K. Dunn of counsel for the appellants, and by Mr. N. L. Leyman, of counsel for the appellee.

Order

Ordered that the cases specially assigned for argument on the 14th, 15th and 16th inst. be, and they are hereby, re-assigned for argument on Monday the 21st instant at the head of the call for that day.

337	James L. Spears et al., appellants. vs. J. K. Jasper et al.	On motion of Mr. Charles Case, leave is hereby granted him to withdraw his appearance as counsel for the appellants in this cause.

6, Original –	Ex parte: In the matter of The Des Moines & Minneapolis Railroad Company. Petitioner	Mr. Gilmore shall be leave of Court, filed and submitted petition for a writ of Mandamus or a rule to show cause why said writ should not issue.

186	T. K. Stevenson et al., appellants. vs. The Texas & Pacific R. R. Co.	On motion of Mr. Keasby, of counsel for the appellants, and consent of Mr. Davidge, of counsel for the appellee, leave is hereby granted to withdraw the request to restore this case to the call.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday March 21st 1881

Pursuant to adjournment the Court met today at the Capitol

Present-

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justice
Stephen J. Field — Associate Justice
Joseph P. Bradley — Associate Justice
John M. Harlan — Associate Justice
William B. Woods — Associate Justice

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that George Gray, Esquire, of New Castle, State of Delaware, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mark S. Brewer, it is ordered that Henry C. Hisner, Esquire, of Detroit, State of Michigan, be admitted

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. S. C. T. Lockwood, it is ordered that Fred. Jerome Seybold, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Phillips, it is ordered that Peter C. Hunt, Esquire, of New York City, and Luther R. Smith, Esquire, of Mt. Sterling, State of Alabama, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank H. Hackett, it is ordered that George B. Newell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn

accordingly.

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245 James L. Sharp, Appellant
vs.
The Dover Stamping Company.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Woods.

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217 Ella F. Bondurant, Executrix of H. E. Bondurant, deceased and Tutrix of her minor child. vs. Frank Watson. Appellant

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

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274 Theodore Yates vs. The National Home for Disabled Volunteer Soldiers. Plff. in Error.

In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

Monday March 21st 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

Edward Bonham, Edwin Beecher, James McCartney, and Adam Rinard.		Appeal from the Circuit Court of the United States for the Southern District of Illinois.
1096	vs. Appellants.	
Thomas B. Needles, Auditor & John C. Smith, Treasurer of the State of Illinois et al.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern district of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the

decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

The National Bank of Genesee,	In Error to the Supreme Court of the State of New York.
159 vs. Plff in Error.	
Edward M. Whitney et al.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York being possessed of the record and proceedings upon a remittitur from the Court of Appeals of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter a decree in conformity with the opinion of this Court.

per Mr. Justice Field.

Dissenting:
Mr. Justice Harlan
Miller

243 The District of Columbia, Aff. in Error
vs.
Adolf Cluss for the use of John A. J. Creswell, Robert Powis, & R. H. T. Leipold, Commissioners of the Freedmans Savings and Trust Company.

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

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242 The Philadelphia & Baltimore Central Railroad Co, Appellant.
vs.
The United States.

Appeal from the Court of Claims.

This cause came on to be heard on the tran-

script of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed

per Mr. Justice Miller

George H. Grinnell, A. P. Emery, John Robinson, Joseph Thornich, Mary L. Bruce, A. Hammond, S. E. Ogborn, E. E. Ogborn, George Ulrich, H. L. Packard, John Slater, Jacob Keakline, Lydia Dunham, Andrew Kilfong, Ed. Tennistow, George Darlington, A. L. Bell, Chas. Brown, Ebenezer Dreyer, Violetta Roper, L. H. Lathrop, John Bruce, S. B. S. Duncan & William Bruce,

613 vs. Plaintiffs in Error.

The Chicago, Rock Island and Pacific Railroad Company, Chas. Stuart, & John Tomlinson.

In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the tran-

script of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Dissenting:
Mr. Justice Bradley.

Eliza Jane Lemmick, Administratrix &c, of Nathaniel Lemmick, deceased,

210 vs. Plaintiff in Error.

The Central Railroad Company of New Jersey.

In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this

cause, be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Miller.

William H. Cook, Appellant.
vs.
Charles Lillo.

Appeal from the Circuit Court of the United States for the District of Louisiana.

212

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Mrs. E. T. Bondurant, Executrix, &c.,	In Error to the Supreme Court of the State of Louisiana.
216 vs. Plff. in Error	
Frank Watson	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error, in this cause, be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

The Central National Bank of Baltimore,	In Error to the Circuit Court of the United States for the Southern Dis-
237 vs. Plff. in Error	
The Royal Insurance Co.	

trict of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Henry M. Bacon, assignee of Joseph Brunswick et al, Bankrupts, vs. Plaintiff in Error: The International Bank of Chicago

237 | In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Monday March 21st 1881, continued

238	Chester A. Arthur, Collector of the Port of New York, vs. Max Jacoby & David T. Geller.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Chief Justice Waite.

240	William H. Seward, George H. Seward, William E. Baker, and Charles McNeal, vs. Jean Baptiste Comeau, Sheriff, &c. Lieblong et al.	Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

895	Francis E. Hinckley, vs. Levi P. Morton et al.	Appeal from Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the tran-

script of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

1069 George P. Humphrey, Appellant. vs. Sanford Baker

Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

85	The Steamboat "Sabine" &c, v.s. The Steamboat Richmond &c. Appellant	On consideration of the petition for a rehearing in this

cause, it is ordered that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

6	Ex parte: In the matter of The Des Moines & Minneapolis Railroad Company. Original. Petitioner	On consideration of the petition for a writ of Mandamus in this

cause, it is ordered that a rule to show cause why said writ should not issue be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

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201 The Pacific Mail Steam Ship Company, vs. The United States, Appellant

and

202 The United States vs. The Pacific Mail Steam Ship Company, Appellant

On motion of Mr. J. F. Farnsworth, of counsel for the Pacific Mail Steamship Company, leave is granted the Clerk to issue the Mandate in this cause.

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249 Joseph C. Sheiburn, vs. Writ of Error. Wm L. Hunter et al.

Mr. R. T. Merrick suggested the death of Joseph C. Sheiburn, the plaintiff in error in this cause, and the cause was ordered to be continued until the next term.

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34 The Baltimore & Ohio Railroad Company, vs. The District of Columbia, Appellant.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the tran-

Monday March 21st 1881, continued

script of the record from the Supreme Court of the District of Columbia, and on the motion of Mr. A. F. Merrick, of counsel for the appellant, This now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed, each party paying their own costs.

per Mr. Chief Justice Waite.

1168

Chipton County,
vs Appeal in Error
The Rogers Locomotive
& Machine Works

Mr. A. F. Merrick, of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"No. 7359 Law Docket.

The Rogers Locomotive & Machine Works
vs.
Chipton County, Tennessee

In the Circuit Court of the United States for the Western District of Tennessee, at Memphis, Tenn.

I, Bell F. Etheridge, Clerk of the Circuit Court of the United States for the Western District of Tennessee at Memphis do hereby

certify that in the above entitled cause on the 1st day of October, 1877 a peremptory writ of mandamus was ordered by the Court commanding the Defendant Fulton County Tennessee to levy a tax to pay the judgment heretofore rendered in favor of the plaintiff and against the Defendant for the sum of $29250 with interest thereon from the 22nd day of March A.D. 1875, & the costs of the cause from this judgment on the same day the Said Fulton County sued on a writ of error giving a bond which was approved by the Court with good and sufficient securities & citation &c were duly issued thereon & served

In testimony whereof, witness my hand & seal of said Court at Memphis Tennessee this the 8th day of March A.D. 1881.

(Seal)

Jill H. Etheridge Clerk
W.B. Kaisiger D.C."

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, moved the Court, in pursuance of the 9th rule, to have this

writ of error dockeled and dismissed - On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause to the Circuit Court of the United States for the Western District of Tennessee, be, and the same is hereby, dockeled and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Fulton County,
1169 vs. Plff. in Error:
Norton, Slaughter & Co.

Mr. A. J. Merrick, of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"2360 Law Docket -

Norton, Slaughter & Co.
vs.
Fulton County, Tennessee

In the Circuit Court of the United States for the Western District of Tennessee at Memphis Tenn.

Monday March 21st 1881, continued

I, Bell H. Etheridge, Clerk of the Circuit Court of the United States for the Western District of Tennessee, at Memphis, do hereby certify that on the 1st day of October 1877 in the above entitled cause a peremptory writ of mandamus was ordered by the Court commanding the Deft Tipton County to levy a tax to pay the judgment heretofore rendered in favor of the Plaintiffs against the the Defendant for the sum of $99653.59 & costs 120.60 with interest thereon from the 15th day of April 1875 From the judgment on the same day it was rendered to wit the 1st day of October 1877 the deft Tipton County sued out a writ of error giving a bond which was approved by the Court with good and sufficient securities & citation &c were duly issued thereon & served

In testimony whereof witness my hand and seal of said Court at Memphis Tennessee this the 8th day of March A. D. 1881.

(Seal)

Bell H. Etheridge Clerk
H. B. Reisiger D.C."

and having stated that the plaintiff in

error had altogether failed to file the record of said cause in this Court or in any wise prosecute said writ of error, Moved the Court, in pursuance of the 6th rule, to have this writ of error docketed and dismissed - On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause to the Circuit Court of the United States for the Western District of Tennessee, be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite

1170 Tipton County, Plff. in Error
v.s.
John D. Edmunds & Co.

Mr. R. J. Merrick, of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"2361 Law Docket

John D. Edmunds & Co. vs. Tipton County, Tennessee } In the Circuit Court of the United States for the Wes-

Nern District of Tennessee at Memphis, Tenn.

I, Bell H Etheridge, Clerk of the Circuit Court of the United States for the Western District of Tennessee at Memphis do hereby certify that in the above entitled cause on the 1st day of October 1877 a peremptory writ of mandamus was ordered by the Court commanding the defendant Tipton County Tennessee to levy a tax to pay the judgment theretofore rendered in favor of the Plaintiff & against the defendant for the sum of $28444 40 & $121 95 costs with interest from the 15th day of April 1875. From such order the Deft Tipton County on the same day sued out a writ of error giving a bond (which was approved by the Court) with good & sufficient securities & citations &c were duly issued therein & served—

In testimony whereof witness my hand & Seal of said Court at Memphis Tennessee this 8th March A. D. 1881.

(Seal)

Bell H. Etheridge Clerk
H. D. Reisiger D.C."—

and having stated that the plaintiff in

error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, moved the Court, in pursuance of the 9th rule, to have this writ of error docketed and dismissed - On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause to the Circuit Court of the United States for the Western District of Tennessee be, and the same is hereby docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Waite.

1168	Tipton County, vs. The Rogers Locomotive & Machine Works. Plff. in Error.	On motion of Mr. R. T. Merrick, leave is hereby granted the Clerk to issue the Mandates in these cases.
1169	Tipton County, vs. Norton, Slaughter & Co. Plff. in Error.	
	And	
1170	Tipton County, vs. John T. Edmunds & Co. Plff. in Error.	

730	The City of Waco, vs. Nelson Beall. Plff. in Error.	In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and on the motion of Mr. P. Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court, that the writ of error in this cause

be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

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133 Samuel Kahn, Appellant. vs. The Central Smelting Company et al

On motion of Mr. George A. Williams, leave is hereby granted the Clerk to issue the Mandate in this cause.

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965 Clay Green, Appellant. vs. Henry C. Fisk and Francis M. Fisk.

The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. T. J. Durant and Mr. C. H. Homer, in support of the same, and by Mr. Thomas J. Semmes, in opposition thereto.

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561 Clay Green, Appellant. vs. Mary Ann Fisk, widow &c.

The motion to dismiss or affirm in this cause was submitted to the con-

sideration of the Court on the record and printed arguments by Mr. T. J. Durant and Mr. C. H. Homer in support of the same, and by Mr. Thomas J. Semmes, in opposition thereto.

552	John J. Sipillan, Plff. in Error, vs. The Union Canal Co.	Mr. James Duval Sodmey, of counsel for the plaintiff in error, filed and submitted to the consideration of the Court, motion to advance this cause.

191	Henry J. Betsey Moyer, Plffs. in Error. vs. James E. Dewey et al.	On motion of Mr. H. St. McKenney, leave is hereby granted the Clerk to issue the Mandate in this cause.

577	The Life Association of America et al, Appellants. vs. Samuel E. Rundle et al.	On motion of Mr. H. St. McKenney, leave is hereby granted the Clerk to issue the Mandate in this cause.

7 Original	Ex parte: In the matter of The Detroit River Ferry Co., Petitioner.	Mr. H.C. Kisner, of counsel for the petitioner,

asked and obtained leave to file petition for a writ of prohibition in this cause and submitted motion for a rule to show cause why said writ should not issue.

65	The Steamship "Benefactor" &c., vs. William H. Mountstal. Appellant.	The motion to reform the Mandate in No. 66, or for further instructions
	and	
66	The New York & Wilmington Steamship Company, vs. William H. Mountstal. Appellant.	was argued by Mr. C. Van Santvoord, in support of same, and by Mr. R. D. Benedict in support of motion to reform Mandate in No. 66, and in opposition to motion of Mr. Van Santvoord for further instructions.

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523 The Board of School Directors of the Parish of Iberville, vs. Joseph Hernandez. | Aff. in Error. | The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas J. Semmes, in support of the same, and by Mr. George L. Bright, in opposition thereto.

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524 The Board of School Directors of the Parish of Concordia, vs. Joseph Hernandez. | Aff. in Error. | The motion to dismiss in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas J. Semmes, in support of the same, and by Mr. George L. Bright, in opposition thereto.

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565 William Neal, vs. The State of Delaware. | Aff. in Error. | The argument of this cause was commenced by Mr. Anthony Higgins, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 22nd 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
} associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

18	Hall & Kilbourn vs. Plff. in Error. Jno. G. Thompson et al.	On motion of Mr. H. of McKenney, leave is hereby granted the Clerk to issue the Mandate in this cause.

865	William Neal, vs. Plff. in Error. The State of Delaware.	The argument of this cause was continued by Mr. George Gray, of counsel for the

defendant in error, and concluded by Mr.

Tuesday March 22nd 1881, continued

Charles Devens, of counsel for the plaintiff in error

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736 The St. Louis Smelting & Refining Company, plaintiff in Error. vs. Thomas Kemp et al.

and

737 The St. Louis Smelting & Refining Company, plaintiff in Error. vs. Sarah Kay et al.

The argument of these cases was commenced by Mr. J. N. McJunkin, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday March 23rd 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William B. Woods — Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

There not being a sufficient number of the Justices present to constitute a quorum the Court is adjourned until tomorrow at twelve o'clock.

Thursday March 24th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
John G. Nicolay Esquire	Marshal
James H. McKenney	Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Hon. William M. Evarts, it is ordered that Washington F. Goldrick, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Town of Thompson		On motion of
282	vs. Aff in Error.	Mr Wm M. Evarts,
Orlando Perrine		it is ordered that

this cause, be, and the same is hereby, assigned for argument on Wednesday the 30th instant.

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331 J. S. Meehan et al, vs. Plffs in Error.
Geo. W. Coott, Assignee, &c. | On motion of Mr. Fillmore Beall, in behalf of Mr. Wm. P. Chambers, of counsel for the defendant in error, and consent of Mr. H. J. Scudder, of counsel for the plaintiffs in error, It is ordered that the plaintiffs in error herein do give within 20 days after the entry of this order, and the service of a copy thereof on the attorneys for the plaintiffs in error a new bond of sufficient security to be approved by a Justice of this Court that the plaintiffs in error shall prosecute their writ to effect, and if they fail to make their plea good, shall answer all damages and costs; and in case of their failure to give such bond within the time aforesaid the writ of error herein shall from and after the expiration of said time cease to operate as a supersedeas or to stay execution herein.

And upon such new bond of secu-

site being duly given as aforesaid such new bond shall take the place of the bond of security already given herein.

Thomas C. Ray, Robert S. Hale & Jerome B. Stick,		In Error to the Supreme Court of the Territory of Montana.
392	vs. Plffs in Error	
Hezekiah Landebush & Roman Kuhn.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana and on the stipulation on file and motion of Mr Fitzpatrick, of counsel for the plffs in error It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed Each party paying their own costs

per Mr. Chief Justice Waite.

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736 The St. Louis Smelting & Refining Company, Plff. in Error, vs. Thomas Kemp et al.

and

737 The St. Louis Smelting & Refining Company, Plff. in Error, vs. Sarah Kay et al.

The argument of these cases was continued by Mr. T. M. Pattison, of counsel for the defendants in error in No. 737, by Mr. F. T. Cussin, of counsel for the defendants in error in No. 736, and concluded by Mr. H. H. Smith, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday March 25th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
} Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

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75 Dipton County,
vs. Plff. in Error.
The Rogers Locomotive & Machine Works

76 Dipton County,
vs. Plff. in Error.
Norton, Slaughter & Co.
And

77 Dipton County
vs. Plff. in Error.
J. D. Edmunds & Co.

On motion of Mr. H. V. C. Nimes, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the Mandates in these cases.

The Richmond Mining Co.
116 vs. Appellant.
The Eureka Consolidated Mining Co.

The Richmond Mining Co.
117 vs. Appellant.
The Eureka Consolidated Mining Co.
and
The Richmond Mining Co.
118 vs. Plff. in Error.
The Eureka Consolidated Mining Co.

On motion of Mr. S. M. Wilson, ordered that one hour additional time be allowed each side in the argument of these cases.

The Richmond Mining Co.
116 vs. Appellant.
The Eureka Consolidated Mining Co.

The Richmond Mining Co.
117 vs. Appellant.
The Eureka Consolidated Mining Co.
and
The Richmond Mining Co.
118 vs. Plff. in Error.
The Eureka Consolidated Mining Co.

The argument of these cases was commenced by Mr. S. M. Wilson, of counsel for the appellant in Nos. 116 & 117 and the plaintiff in error in No. 118, and continued by Mr. N. J. Thornton, of counsel for the appellee in Nos. 116 & 117 and the defendant in error in No. 118.

Friday March 25th 1881, continued

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday March 28th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices.
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John G. Nicolay, Esquire, Marshal
James H. McKenney, Esquire, Clerk.

Proclamation being made the Court is opened.

Proclamation being made the Court is adjourned until Wednesday next at twelve o'clock

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Wednesday March 30th 1881

Pursuant to adjournment the Court met to-day at the Capitol.

Present-

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices.
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John G. Nicolay Esquire, Marshal
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General MacVeagh, it is ordered that Samuel Wagner, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Montgomery Blair, it is ordered that William E. Gleeson, Esquire, of Balti-

more, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Charles M. Blake,	Appeal from the
773	vs. Appellant.	Court of Claims.
	The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby affirmed.

per Mr. Justice Harlan.

	The Buffalo & Jamestown	In Error to the
	Railroad Company et al,	Supreme Court
89	vs. Plffs. in Error.	of the State
	Patrick Falconer et al.	of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York being pas-

sessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and was argued by counsel - On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley.

	The Buffalo & Jamestown Railroad Company,	In Error to the Supreme Court of the State of New York.
129	vs. Plff. in Error.	
	Walter J. Weeks, Judson M. Bread, Edward P. Jones & Robert Newland.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and was argued by counsel - On consideration whereof, It is now here ordered, adjudged and de-

creed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

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65 The Steamship "Benefactor" &c., Appellant.
vs.
William H. Mount et al.

and

66 The New York & Wilmington Steamship Company, Appellant.
vs.
William H. Mount et al.

On consideration of the motions to reform the Mandate of this Court in No. 66, or for further instructions to the Circuit Court - It is ordered that the decree and Mandate of this Court in No. 66, be, and they are hereby, modified so far as they contain directions to the Circuit Court to enter a decree reversing the decree of the District Court and giving directions for further proceedings, and that instead of said portion of the said decree and Mandate, directions be, and they are hereby, given to the Circuit Court to proceed upon the petition of the said New-

York and Helmingten Steamship Company for such limited liability and hear and determine the same, in conformity with law and the opinion of this Court, in the meantime staying proceedings upon any and all decrees or judgments against the Steamship "Benefactor" by reason of the collision referred to in said petition until the proceedings for limited liability be determined and to answer the determination of the same.

It is further ordered that each party pay their own costs on these motions.

Per Mr. Justice Bradley.

Additional Rule in Admiralty.

It is ordered that the following rule be, and the same is hereby, adopted as an addition to the Rules of Practice in the Courts of the United States in case of Admiralty and Maritime jurisdiction, on the instance side of the Court:-

Rule 58.

All the preceding rules and reg-

ulations for proceeding in cases where the owner or owners of a Ship or vessel shall desire to claim the benefit of limitation of liability provided for in the Act of Congress in that behalf, shall apply to the Circuit Courts of the United States where such cases are or shall be pending in said Courts upon appeal from the District Courts.

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215 The German National Bank of Chicago, Appellant. vs. Mark Kimball, Collector of the Town of South Chicago, and Samuel A. McCrea, Treasurer et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is

hereby affirmed with costs.

per Mr Justice Miller.

Schuyler's Steam Tow Boat Line, Claimants of the Steamboat "Connecticut," her engine &c,

231 vs. Appellant

Madison M. Caleb

Madison M. Caleb,

235 vs. Appellant.

William A. Foote & Samuel Schuyler, Claimants of the Steamboat "J. & Stevens," her engine &c.

and

Charles Wilson & Arthur Wilson, Claimants of the Steamship "Othello" her engine &c.,

236 vs. Appellants.

Madison M. Caleb.

Appeals from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern Dis-

trict of New York, on appeal and cross-appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed. Each party to pay the costs of their own appeal in this Court.

per Mr. Chief Justice Waite.

	William A. Folsom,	Appeal from the
253	vs. Appellant.	Supreme Court of the
	Ann L. Dewey et al.	Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court, with instructions to enter or cause to be entered a judgment in favor of the ap-

pellant, William A. Folsom, for the premises claimed by him.

per Mr. Chief Justice Waite.

	C. Kirchner, Junior	Appeals from the Circuit Court of the United States for the District of Iowa.
145	vs. Appellant	
	Michael McAleer	
	and	
	Michael McAleer	
146	vs. Appellant	
	C. Kirchner Junior	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed. Each party paying their own costs in this Court.

Decree entered & Judgment issued April 1st 1881.

per Mr. Chief Justice Waite.

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229 The Newport & Cincinnati Bridge Company, vs. Appellant. The United States.

Ordered by the Court that this cause stand for re-argument at the next term.

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239 The United States, vs. Plff. in Error. The Erie Railway Co.

Ordered by the Court that this cause stand for re-argument at the next term.

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523 The Board of School Directors of the Parish of Avoyelles, vs. Plff. in Error Joseph Hernandez.

On consideration of the motion to dismiss this cause - It is ordered that said motion be, and the same is hereby, denied.

for Mr. Chief Justice Waite.

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524 The Board of School Directors of the Parish of Concordia. vs. Plff. in Error Joseph Hernandez

On consideration of the motion to dismiss this cause - It

is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

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152 John J. Sullivan, Plff. in Error
vs.
The Union Canal Co.

On consideration of the motion to advance this cause It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

Ex parte: In the matter of The Detroit River Ferry Co. Petitioners

7 Original -

On consideration of the petition of The Detroit River Ferry Company, It is hereby ordered that cause be shown by the Judge of the District Court of the United States for the Eastern District of Michigan, before this Court at Washington, in the District of Columbia, on the 11th day of October, 1881, at 12 o'clock, noon, of that day, or as soon thereafter as counsel can be heard, why a Writ of Prohibition should not issue re-

straining and prohibiting him from proceeding further and from entering any decree except to dismiss the libels in the case of James A. Cuddy et al, Libellants, vs. The Steamer "Garland" her engines &c, The Detroit River Ferry Company, Claimant.

for Mr. Chief Justice Waite.

1168	John T. Edmunds, vs. Plff. in Error. Lauderdale County	Mr. H. Y. C. Humes filed and submitted to the consideration of the Court, motion to advance this cause.

1153	The Memphis & St. Louis Railroad Company vs. Plff. in Error. J. R. Loftin, Collector, &c.	Mr. H. Y. C. Humes filed and submitted to the consideration of the Court, motion to advance this cause.

1171	John H. Boughton, vs. Plff. in Error. The American Exchange National Bank.	Mr. Samuel Wagner, of counsel for the defendant in error, moved the Court

for leave to docket this cause and to file a motion to dismiss. On consideration whereof, It is ordered that said motions be, and the same are hereby, granted.

1018 | Justus J. McCarty, vs. Appellant. Orleans v. McCarty | The motion for an order on the appellant to pay counsel fee to counsel for appellee, was submitted to the consideration of the Court on printed arguments by Mr. S. S. Cockrill and Mr. H. B. Webb, in support of the same, and by Mr. H. D. Davidge, in opposition thereto.

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305 | H. Blennerhassett et al, vs. Appellants Hoyt Sherman, Assignee, &c. | On motion of Mr. O. C. Skinner, of counsel for the appellants, it is ordered that the additional matter sent up by the Clerk of the Circuit Court, in this cause be made part of the record and be printed.

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311 Frank E. Yates, Ellen E. Bacon & Josephine Bacon, Plffs. in Error. vs. Samuel D. Jenks, Assignee of Jonas L. Kinsey, a Bankrupt. | In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and on the stipulation of counsel on file and motion of Mr. W. J. McKenney, in behalf of counsel - It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

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311 Frank E. Yates et al, Plffs. in Error. vs. Samuel D. Jenks, Assignee &c. | On motion of Mr. W. J. McKenney, leave is hereby granted the Clerk to issue the Mandate in this cause.

	Edward J. Jay and William H. Sarah, assignee in bankruptcy of H. W. J. Sypher,	Appeal from the Circuit Court of the United States for the District of Louisiana.
587	vs. Appellants.	
	Albert C. Allen, Tutor of Sydney Cole, Clara Cole, John D. Lafitte, & Mason & Cornwall	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the stipulation of counsel on file and motion of Mr. H. C. McKenney, in behalf of counsel - It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	Otis Bigelow,	The motion to dismiss this cause was submitted to the consideration
556	vs Appellant.	
	George H. Ermes.	of the Court on the

record and printed arguments by Mr. G. H. Ermes, in support of the same, and

Wednesday March 30th 1881, continued

by Mr. S. S. Henkle, in opposition thereto.

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116 The Richmond Mining Co. vs. The Eureka Consolidated Mining Company. Appellant.

117 The Richmond Mining Co. vs. The Eureka Consolidated Mining Company, and The Richmond Mining Co. vs. The Eureka Consolidated Mining Company. Appellant.

118 Plff. in Error.

The argument of these cases was concluded by Mr. Thomas Wren, of counsel for the appellant and plaintiff in error.

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282 The Town of Thompson, vs. Orlando Perrine. Plff. in Error.

The argument of this cause was commenced by Mr. T. F. Bush, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday March 31st 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite,	Chief Justice.
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John G. Nicolay Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

408	John T. Edmunds vs. Plff. in Error. Lauderdale County.	On consideration of the motion to advance this cause, it is ordered that said motion be, and the same is hereby, denied.

282	The Town of Thompson, vs. Plff. in Error. Orlando Perrine.	The argument of this cause was continued

by Mr. D. H. Bush, of counsel for the plaintiff in error, by Mr. William M. Evarts, of counsel for the defendant in error, and concluded by Mr. D. H. Bush, of counsel for the plaintiff in error.

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247 N. B. Wilmot, Plff. in Error. vs. E. R. Mudge et al.

The argument of this cause was commenced by Mr. J. S. Richardson, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday April 1st 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William A. Woods
} Associate Justices.

John G. Nicolay Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. G. S. Riddle, it is ordered that Jacob F. Miller, Esquire, of New York City, Augustus N. Sage, Esquire, of Chicago, State of Illinois, and James C. Padgett, Esquire, of Washington City, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

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247 | A. B. Wilmot, Plff in Error. vs. E. R. Mudge et al. | The argument of this cause was continued by Mr. J. D. Richardson, of counsel for the plaintiff in error, by Mr. Moorfield Storey, of counsel for the defendants in error, and concluded by Mr. J. D. Richardson, of counsel for the plaintiff in error.

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248 | Henry S. McComb, Appellant. vs. The Credit Mobilier of America, Sidney Dillon et al. | Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and on the stipulation of counsel on file, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

251 The Bartlett Land and Lumber Company, vs. Plff. in Error. Daniel Saunders.

The argument of this cause was commenced by Mr. H. L. Putnam, of counsel for the plaintiff in error, and continued by Mr. J. S. Abbott, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday April 4th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Morrison R. Waite	Chief Justice.
Samuel F. Miller	Associate Justices.
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

151

The County of Wilson, State of Tennessee, vs. Plff in Error. The Third National Bank of Nashville, Tenn.	In Error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel—
On consideration whereof, It is now here

ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum, that similar judgments bear in the Courts of the State of Tennessee.

per Mr. Justice Woods.

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592 John Miles, Plff in Error. vs. The United States. | In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel - On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Supreme Court, with directions to remand the cause

to the District Court for the Third judicial district of the Territory of Utah and to direct that Court to set aside the verdict and judgment and award a venire facias de novo.

per Mr. Justice Woods.

123	The Royal Insurance Co. of Liverpool, England vs. Pltff. in Error. William B. Stinson.	In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

Monday April 4th 1881, continued

Laura Ellen Jones, widow and testamentary Executrix of Sidney C. Stockdale, late Collector of Internal Revenue	In Error to the Circuit Court of the United States for the District of Louisiana.
251 vs.	
Off. in Error	
Watson Van Benthuysen.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court, with directions to set aside the verdict and grant a new trial.

per Mr. Justice Miller.

350

Melissa A. Barbour, C. K. Dunn, guardian of Maggie Barbour & Mat Barbour, vs. Stephen B. Priest, Assignee of Hubbard Colby, a bankrupt. Appellants	Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court, with directions for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Miller.

Monday April 11th 1881, continued

219

The Board of Supervisors of Wayne County, Oliver Holmes, Thos. L. Cooper, William Shafferstal vs. John H. Kennicott, Joseph H. Hardestal	In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with instructions to enter judgment on the agreed case in favor of the defendants.

per Mr. Chief Justice Waite.

361 Clay Green, Appellant. v. Mary Ann Fisk, widow of Francis M. Fisk. | Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

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465 Clay Green, Appellant. v. Henry C. Fisk and Francis M. Fisk. | Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the motion to dismiss which was argued by counsel— On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

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556 | Otis Bigelow, vs. George W. Simms. | Appellant. | On consideration of the motion to dismiss this cause, It is ordered that the further consideration of said motion be postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Waite.

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783 | The Memphis & St. Louis Railroad Company vs. J. R. Loftin, Collector, &c. | Plff. in Error. | On consideration of the motion to advance this cause,

It is ordered that said motion be, and the is hereby, denied.

per Mr. Chief Justice Waite.

1018 | Justus T. McCarty, Appellant, vs. Orleans W. McCarty. | On consideration of the motion for an order on the appellant to pay counsel fee to the counsel for the appellee, It is ordered that the supersedeas herein be vacated to such an extent as may be necessary to enable the Court below to issue execution and collect so much of the decree appealed from as will furnish the appellee with means to pay her counsel a reasonable fee for the presentation of her cause in this Court.

The Clerk will certify this order to the Court below.

per Mr. Chief Justice Waite.

1069 | George P. Humphrey, Appellant, vs. Sanford Baker. | On motion of Mr. George N. Williams, leave is hereby granted the Clerk

to issue the Mandate in this cause.

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251 The Bartlett Land and Lumber Company, Plff. in Error
vs.
Daniel Saunders

The argument of this cause was continued by Mr. Charles G. Saunders, of counsel for the defendant in error, and concluded by Mr. Ossian Ray, of counsel for the plaintiff in error.

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174 David C. Shanks, Exr, &c. Appellant.
vs.
John C. Klein et al.

The argument of this cause was commenced by Mr. W. B. Pittman, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday April 5th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices.
Stephen J. Field — Associate Justices.
Joseph P. Bradley — Associate Justices.
John M. Harlan — Associate Justices.
William B. Woods — Associate Justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. H. Maury, it is ordered that James H. Dennison, Esquire, of Johnstown, State of New York, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

174	David C. Shanks, Exr, &c, Appellant. vs. John H. Klein et al.	The argument of this cause was continued

by Mr. E. D. Clark, of counsel for the appellees, and concluded by Mr. H. B. Pittman, of counsel for the appellant.

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213 The United States, appellant. vs. E. J. Quigley.

This cause was argued by Mr. Assistant Attorney General Smith, of counsel for the appellant, and submitted on printed argument by Mr. John D. McPherson, of counsel for the appellee.

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255 Richard Jones et al., Plffs. in Error. vs. Beverly Randolph et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

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256 William F. Durant, Garnishee, &c., Plff. in Error. vs. Wm. M. VanNorthwick.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

Tuesday April 5th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the authority of counsel for the plaintiff in error on file, It is now here ordered and adjudged by this Court, that the writ of error, in this cause, be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Thomas J. Olmy,		In Error to the
257 vs.	Pltff. in Error.	Supreme Court
Benjamin F. Raybould		of the Territory
		of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute his writ of error, and failing to appear - It is, thereupon, in pursuance of the 16th Rule of this Court, and on the motion of Mr. Samuel Shellabarger, of counsel for the

defendant in error, now here ordered and adjudged by this Court, that this cause be, and the same is hereby, dismissed with costs, and that this cause be, and the same is hereby, remanded to the said Supreme Court, to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

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258 The Town of Walnut, Plff. in Error. vs. J. A. Wade

The argument of this cause was commenced by Mr. W. C. Soudy, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday April 6th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices.
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

Simon Haas et al,	On motion of Mr.
170 vs. Pltfs. in Error.	S. F. Clarke, of
U. S. of Arthur, Collector, &c.	counsel for the
	plaintiffs in error,

and consent of counsel for the defendant in error - It is ordered that this cause be, and the same is hereby, continued until the next term.

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548 | The United States, appellant vs Benjamin D. Seedman | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Assistant Attorney General Smith, of counsel for the appellant. It is now here ordered and adjudged by this Court, that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

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530 | Charles H. Mulligan for use of Cook County Savings Bank, plff in Error vs William S. Slater, Survivor of C. P. Mason, deceased, impleaded with F. C. Taylor & John M. Wright | In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the stipu-

station of counsel on file and motion of Mr. H. C. Gordy, in behalf of counsel — It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Joseph H. Jenkins, and Robert H. Pender, partners as Jos. H. Jenkins & Co.		Appeal from the Circuit Court of the United States for the Eastern District of North Carolina.
971	vs. Appellants.	
Peter R. Davis & Winnie M. Davis, his wife.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and on the motion of Mr. S. F. Phillips, of counsel for the appellants — It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

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255	The Town of Walnut. vs. Pfff in Error J. H. Hood.	The argument of this cause was continued by Mr. H. C. Goudy, of counsel for the plaintiff in error, and by Mr. Thomas J. Moreland, of counsel for the defendant in error, and concluded by Mr. H. C. Goudy, of counsel for the plaintiff in error.

259	The Town of Chicago, vs. Pfff in Error. Augustus Kean	This cause was argued by Mr. H. C. Goudy, of counsel for the plaintiff in error, and submitted on printed arguments by Mr. O. M. Story, of counsel for the plaintiff in error, and by Mr. J. A. Roberts and Mr. S. M. Cullom, of counsel for the defendant in error.

261	Henry S. Kimball, vs. Pfff in Error. U. S. ex rel. Miller, Collr, &c.	This cause was argued by Mr. S. T. Clarke, of counsel for the plaintiff in error, and by Mr. Solicitor General

Phillips, of counsel for the defendant in error.

Joseph Swan,
221 vs. Pltff in Error.
C. of I. Arthur, Collector, &c.

Herman Kleinman et al,
222 vs. Pltffs in Error.
C. of I. Arthur, Collector, &c.
and
Henry Hegenheim et al.
261 vs Pltffs in Error.
C. of I. Arthur, Collector, &c.

These cases were argued by Mr. St. John L. Clark, of counsel for the plaintiffs in error, and by Mr. Assistant Attorney General Smith, of counsel for the defendant in error.

The New York Life Insurance Company,
227 vs. Pltff in Error.
E. C. Dangs, his Guardian,
C. K. Davis,
and
The New York Life Insurance Company,
693 vs. Appellant
E. C. Dangs, his Guardian,
C. K. Davis.

The argument of these cases was commenced by Mr. Herbert L. Baker, of counsel for the plaintiff in error and appellant.

being made the Court is ad-
tomorrow at twelve o'clock.

Thurs

Pursuant to
met today at

The Honorable

John G. M
James

Proclamation

On motion
this behalf
it is ordered
Dwight, Esq
admitted to p
counsellor of
sworn accor

On motion
in this behal
it is ordered

day of April 7th 1881

adjournment the Court
the Capitol.

Present—

Morrison R. Waite — Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
— Associate Justices

Nicolay Esquire, Marshal.
J. McKenney, Clerk.

being made the Court is opened.

first made to the Court in
by Mr. Richard C. Forman,
that Theodore William
uire, of New York City, be
ractice as an attorney and
this Court and he was
dingly.

first made to the Court
by Hon. J. E. McDonald,
that John E. Pollock, Es-

gain, of Bloomington, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The New York Life Insurance Company,
vs. Pff. in Error.
E. C. Dangs, by his guardian, C. K. Davis.

and

The New York Life Insurance Company,
vs. Appellant.
E. C. Dangs, by his guardian, C. K. Davis

The argument of these cases was continued by Mr. H. L. Baker, of counsel for the plaintiff in error and appellant, by Mr. M. B. Brewer, of counsel for the defendant in error and appellee, and concluded by Mr. W. F. Maury, of counsel for the plaintiff in error and appellant.

Christopher Keenan,
vs. Pff in Error.
The Winchester Repeating Arms Company.

On motion of Mr. S. F. Wright, ordered that one hour additional

time be allowed counsel for the plaintiff in error, in the argument of this cause.

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262 | Christoper Oscanyan, Plff. in Error. vs. The Winchester Repeating Arms Company. | The argument of this cause was commenced by Mr. T. W. Dwight, of counsel for the plaintiff in error, and continued by Mr. Edmund K. Robinson, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday April 8th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice
	Samuel F. Miller	Associate Justices.
	Stephen J. Field	
	Joseph P. Bradley	
	John M. Harlan	
	William B. Woods	
	John G. Nicolay Esquire	Marshal
	James H. McKenney,	Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Hoar, it is ordered that George M. Stearns, Esquire, of Chicopee, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

262 Christopher Oscanyan, vs. The Winchester Repeating Arms Company. In Error.

The argument of this cause was continued by Mr. Edmund Randolph

Robinson, of counsel for the defendant in error, and by Mr. Theodore H. Dwight and Mr. Richard C. Spooner, of counsel for the plaintiff in error. No further argument was desired by the Court at present.

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263 The Indiana & Illinois Central Railway Co. vs. Henrietta L. Sprague. Appellant.

The argument of this cause was commenced by Mr. James Emott, of counsel for the appellant, continued by Mr. Clarkson N Potter, of counsel for the appellee, and concluded by Mr. J. E. McDonald, of counsel for the appellant.

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919 Joseph Seligman, James Seligman & Jesse Seligman partners as J. & W. Seligman & Co. vs. The Charlottesville National Bank. Plaintiffs in Error

In Error to the Circuit Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit -

Court of the United States for the Western District of Virginia, and on the motion of Mr. Clarkson N. Potter, of counsel for the plaintiffs in error, - It is now here ordered and adjudged by this Court, that the writ of error, in this cause, be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

W. P. Walker and Jas. M. Calder, Trustees
vs. Appellants.
Calvin Claflin et al.

On motion of Mr. James Lowndes, leave granted to issue Citation in this cause.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday April 11th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite — Chief Justice.
Samuel F. Miller — Associate Justices.
Stephen J. Field — Associate Justices.
Joseph P. Bradley — Associate Justices.
John M. Harlan — Associate Justices.
William B. Woods — Associate Justices.
John G. Nicolay Esquire — Marshal.
James M. McKenney — Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. Phillips, it is ordered that Eugene Garnett, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. B. Vance, it is ordered that W. Blackstock, Esquire, of San Buena Ventura, State of California, be ad-

mitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Charles Kern,		In Error to the
538 vs.	Jeff. in Error.	Circuit Court of
Frederick H. Huidekoper,		the United States
Jefferson Levinson and		for the Northern
Thomas H. Shannon.		District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs

per Mr. Justice Woods.

Charles Kern, Emil Ditzsch,
The Bank of North America et al,
No. 511 vs Appellants.
Frederick H. Anderson,
Thomas H. Shannon and
John A. Denison.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Woods.

78 The County of Morgan, Appellant.
vs.
John Allen, survivor of Edwin S. Trowbridge & Aaron Arnold, dec'd

and

393 John Allen, survivor of Edwin S. Trowbridge & Aaron Arnold, dec'd, Appellant.
vs.
The County of Morgan

Appeals from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed. Each party to pay their own costs in this Court. And it is further ordered that this decree be entered nunc pro tunc as of the twenty-third day of November, A.D. 1880.

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Miller.
Mr. Justice Field.
Mr. Justice Bradley.

161 Chicot County
vs. Pltf in Error.
Charles E. Lewis.

In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Arkansas.

Per Mr. Justice Bradley.

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162 Reed Peck, Administrator of George H. Peck, deceased,
vs. Pltf. in Error.
Truman L. Collins.

In Error to the Court of Appeals of the State of New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby affirmed with costs.

For Mr. Justice Bradley.

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167 Thomas Hardell, Appellant. vs. The Union Pacific Railroad Co. et al.

Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

For Mr. Justice Field.

173	Vital Jarrolt, Plff in Error. vs. The City of Moberly	In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Field

Dissenting:
Mr. Justice Harlan

180	Ouachita County, Plff in Error. vs. Joseph C. Holcott.	In Error to the Circuit Court of the United States for the

Eastern District of Arkansas.

Monday April 11th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Justice Miller.

Antoine Lalande,
216 vs. Appeal in Error.
The State of Louisiana,
Ex rel: John C. Monroe.

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the

judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

	Albert T. Babbitt,	Appeal from the
185	vs. Appellant.	Circuit Court of
	Parker P. Clark, Jr. Sergt	the United States
	H. Clark, Elijah H.	for the Northern
	Clark & Jno. F. Burnett	District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

The Chief Justice announced that the Court would adjourn for the term on Monday, May 2nd, and that no case

would be called for argument after Friday April 22nd.

In the matter of Frank J. Bowman.	Ordered that the motion to set aside the order admitting Frank J. Bowman Esq., in fraglin as an attorney and counsellor of this Court be, and the same is hereby, denied.

	C. Kirchner Jr.	On motion of Mr. Geo. F. Wright, in behalf of counsel – It is ordered that the decree entered by the Court in these cases on the 30th of March, 1881, be, and the same is hereby, re-
115	vs. Appellant.	
	Michael McAleer	
	and	
	Michael McAleer,	
116	vs. Appellant	
	C. Kirchner Jr.	

scinded and annulled.

C. Kirchner Jr.
145 vs. Appellant
Michael McAleer

and

Michael McAleer
146 vs. Appellant
C. Kirchner Jr.

Mr George L. Wright, in behalf of counsel, suggested the death of Michael McAleer, one of the parties in these cases, and moved the Court for leave to enter the appearance of Hugh McAleer Sr., and Hugh McAleer Jr., Administrators of Michael McAleer, deceased. On consideration whereof, It is ordered that Hugh McAleer Sr., and Hugh McAleer Jr., Administrators of Michael McAleer, deceased, be, and they are hereby, made parties in these cases in place of said Michael McAleer, deceased, as aforesaid.

Monday April 11th 1881, continued

C. Kirchner Jr.
1115 vs. Appellant.
Hugh McAleer, Senior
& Hugh McAleer, Junior,
administrators of
Michael McAleer, dec'd

and

Hugh McAleer, Senior
& Hugh McAleer, Junior
administrators of
Michael McAleer, dec'd,
1116 vs. Appellants.
C. Kirchner, Jr.

Appeals from the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed. Each party paying their own costs in this Court.

Per Mr. Chief Justice Waite.

169	Edward H. Burbank, Plff. in Error. vs. Thomas J. Semmes.	On motion of Mr. C. H. Horner, leave is hereby granted the plaintiff in error to withdraw plan filed in this cause on filing a copy of the same.

548	The United States vs. Benjamin S. Goodman. Appellant.	On motion of Mr. Thomas Wilson, leave is hereby granted the Clerk to issue the Mandate in this cause.

516	L. M. Lincoln, W. H. Crouse et al. vs. Ira G. French. Plff. in Error.	Mr. Fillmore Scaife, on behalf of counsel for the defendant in error, suggested the death of W. H. Crouse, one of the plaintiffs in error in this cause, and moved the Court for an order under the 15th rule, to make the proper representatives parties— Whereupon, It is now here ordered by the Court that unless the proper representatives of the said W. H. Crouse, deceased, as aforesaid, shall volunta-

ity became parties within the first ten days of the ensuing term of this Court, the defendant in error shall be entitled to have the writ of error dismissed as to said H. H. Crouse.

Provided, that a copy of this order shall be printed in some newspaper of general circulation, at the seat of Government, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court next ensuing.

per Mr Chief Justice Waite.

Christopher Cassaman, Plff in Error
vs.
The Winchester Repeating Arms Company.

The argument of this cause, resumed by direction of the Court, was continued by Mr. Theodore H. Dwight, of counsel for the plaintiff in error, and by Mr. Edmund Randolph Robinson, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday April 12th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite	Chief Justice.
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Edmund Randolph Robinson, It is ordered that William P. Hubbard, Esquire, of Wheeling, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte. In the matter of The Connecticut Mutual Life Insurance Company. Original — Petitioner.

On motion of Mr. H. C. McKinney, in behalf of Mr. E. S. Isham, of counsel for the petitioner, leave is hereby granted to file petition for Mandamus.

No. Ten & La Salle Gas Light Company, Appellant 968 vs. William C. Sage et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the stipulation of counsel on file, and on motion of Mr. Forgin Garnett, in behalf of counsel — It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Tuesday April 12th 1831, continued

262 Christopher Keagan, vs. Iff. in Error. Fra. Winchester & Spalding & Sims Company

The argument of this cause was continued by Mr. Edmund Randolph Robinson, of counsel for the defendant in error, and concluded by Mr. Richard C. Forman, of counsel for the plaintiff in error.

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264 Wm. & Clark et al., vs. Appellants. Jno. D. Hillian & Admr. &c.

This cause was argued by Mr. Francis Miller, of counsel for the appellants, and by Mr. Wm. John Miller, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday April 13th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods — Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

Harrison Burke et al.,
365 vs. Appellants.
The Board of Liquidation
of the State of Louisiana;
and
John S. Williams et al.,
7 vs. Plffs. in Error.
The State of Louisiana et al.

The argument of these cases was commenced by Mr. Simon Sterne, of counsel for the appellants in No. 365, and plaintiffs in error in No. 7, and continued by Mr. G. Soulé Breaux and Mr. James Lingan, of counsel for the appellees in No. 365 and de-

Wednesday April 13th 1881, continued

fendants in error in No 7, and by Mr. George H. Biddle, of counsel for the appellants in No. 365, and plaintiffs in error in No 7.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday April 11th 1861.

Pursuant to adjournment the Court met to-day at the Capitol.

Present—

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices.
Stephen J. Field — Associate Justices.
Joseph P. Bradley — Associate Justices.
John M. Harlan — Associate Justices.
William B. Woods — Associate Justices.

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

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913 The Trustees of the Internal Improvement Fund of the State of Florida, vs. Francis Vose. Appellants.

Mr. M. L. Woods, on behalf of counsel, suggested the death of Francis Vose, the appellee in this cause, and moved the Court for leave to enter the appearance of Charles P. Fremough Administrator of the said Francis Vose, deceased, as the appellee in this cause—

On consideration whereof, It is ordered that Charles P. Ironcough, Administrator of Francis Rose, deceased, &c, and he is hereby made the party appellee in this cause with liberty to resist this appeal.

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265 Harrison Burke et al. vs. The Board of Liquidation of the State of Louisiana et al. — Appellants.

and

7 John S. Williams et al vs. The State of Louisiana et al. — Plffs. in Error

The argument of these cases was concluded by Mr. George W. Biddle, of counsel for the appellants in No. 265, and plaintiffs in error in No. 7.

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269 H. E. & Anna L. Brown, vs. John A. F. Slee et al. — Appellants.

(Substituted for No. 266)

The argument of this cause was commenced by Mr. George E. Knight, of counsel for the appellants, continued by Mr. C. A. Rouse, of counsel for the

Thursday April 14th 1881, continued

Appellees, and concluded by Mr. C. C. Cole, of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday April 18th 1881.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James C. Carter, it is ordered that Charles A. Simpkins, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. C. Henderson, it is ordered that Frank Compton, Esquire, of Chicago, State of Illinois, be admit-

led to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. George F. Edmunds, it is ordered that William L. Page, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Town of Walnut,		In Error to the Cir-
1.81	vs.	cuit Court of the
	Off in Error.	United States for
J. A. Wade.		the Northern Dis-

trict of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed

with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Woods.

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759 The Town of Cicero, Plff. in Error. vs. Augustus Frank. | In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois

per Mr. Justice Woods.

	Ashbel H. Barney, Jesse Hoyt, of M. Hoyt & S. A. Hoyt, Angus Smith & al.	Appeal from the Circuit Court of the United States for the District of Minnesota
192	vs. Appellants	
	William H. Latham and Edward P. Latham.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Circuit Court with directions to re-instate this cause upon its docket, to overrule the motion to remand to the State Court, and for further proceedings in conformity with the opinion of this Court.

And it is further ordered that this decree be entered nunc pro tunc as of the tenth day of January, 1881,—

Monday April 15th 1881, continued

per Mr. Justice Harlan.

Dissenting:
Mr. Justice Miller,
Mr. Chief Justice Waite
Mr. Justice Field.

147	Edward M. Edwards, Plff. in Error. vs. The United States Exrel: William F. Thompson.	In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

Monday April 18th 1881, continued

118 John F. B. Thompson vs. Aff. in Error The United States Ext. The Cambria Iron Co. | In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

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119 The Township of Lincoln, vs. Aff. in Error The Cambria Iron Co. | In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

per Mr. Justice Bradley.

Walter S. Johnston, Receiver of the National Bank of the State of Missouri, Appellant
vs.
Sylvester N. Laflin & James N. Brillon.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

184

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was ar-

gued by counsel. On consideration where-
of, It is now here ordered, adjudged and
decreed by this Court, that the decree of
the said Circuit Court, in this cause, be,
and the same is hereby, affirmed with costs.
per Mr. Justice Field.

The Little Rock Water Works Company,		Appeal from the
1099	vs.	Circuit Court of
	Appellant	the United States
John G. Barret and		for the Eastern
Richard A. Alexander.		District of Ar-
		kansas.

This cause came on to be heard on the tran-
script of the record from the Circuit Court
of the United States for the Eastern Dis-
trict of Arkansas, and was argued by
counsel. On consideration whereof, It is
now here ordered, adjudged and decreed
by this Court, that the decree of the said
Circuit Court, in this cause, be, and the
same is hereby, affirmed with costs.
per Mr. Justice Miller.

Monday April 15th 1881, continued.

213 | The United States, Appellant. vs. E. J. Quigley. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby affirmed.

per Mr. Chief Justice Waite.

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760 | Henry S. Fish, Thomas K. Clark and Thomas J. Flagg vs. Chester A. Arthur, Collector of the Port of New York. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and

was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

221	Joseph Swan, Plff. in Error, vs. Chester A. Arthur, Collector of the Port of New York.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Monday April 18th 1851, continued.

Herman Fleitman, Ewald Fleitman and Frederick Winkhaus,	In Error to the Circuit Court of the United States for the Southern District of New York.
377 vs.	
Chester A. Arthur, Collector of the Port of New York.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Taney.

Monday April 18th 1881, continued

Henry Hegenheim & Siegfried Rosenberg, Plffs. in Error. vs. Chester A. Arthur, Collector of the Port of New York.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Charles H. Marshall et al., Appellants. vs. The Steamship "Adriatic" &c.	The motion to amend the record in this

cause was argued by Mr. E. P. Wheeler,

in support of the same, and by Mr. Wm Allen Butler, in opposition thereto.

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771 The National Steam Navigation Company, vs. Appellant. Joseph H. Dyer et al

On motion of Mr C. F. Thaler leave is hereby granted him to file a brief in this cause.

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602 Joseph B. Stewart, vs. Appellant Hamilton S. Tant.

Mr. Joseph B. Stewart, of counsel for the appellant, having filed in open Court a suggestion of a diminution of the record in this cause in the words and figures following, to wit:

"The testimony of all the witnesses taken before the Auditor pursuant to the decrees of December 3rd 1875, and May 3rd, 1876; and also a paper filed as a duplicate report of the Auditor".

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a Writ of Cer-

Riorari to be directed to the Judges of the Supreme Court of the District of Columbia, commanding them that searching the record and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Supreme Court whatever omissions and errors shall be found to the extent above enumerated— On consideration whereof, It is now here ordered by this Court, that a Writ of Certiorari be, and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Supreme Court of the District of Columbia, commanding them that searching the record and proceedings aforesaid they forthwith certify to this Court under the seal of the said Supreme Court, whatever omissions and errors shall be found to the extent above enumerated and return the same with the said Writ of Certiorari forthwith to this Court.

per Mr. Chief Justice Waite.

Monday April 18th 1881, continued.

Ex parte: In the matter of William Horton, Amos R. Clark & Jno. F. H. Mangels, Petitioners. | Mr. Charles S. Simpkins filed and submitted to the consideration of the Court a motion for leave to file petition for a Writ of Prohibition.

Ex parte: In the matter of Frederick Gordon Original - Petitioner | On motion of Mr. Arthur George Brown, of counsel for the petitioner, leave is hereby granted to file a petition for a Writ of Prohibition.

Ex parte: In the matter of Frederick Gordon Original - Petitioner. | On consideration of the petition of Frederick Gordon -

It is hereby ordered that cause be shown by the Judge of the District Court of the United States for the District of Maryland, before this Court at Washington in the District of Columbia, on the 11th day of October, 1881, at 12 o'clock noon of that

day, or as soon thereafter as counsel can be heard, why a Writ of Prohibition should not issue restraining and prohibiting him from proceeding further and from entering any decree except to dismiss the libel in the case of Leana L. Hubbard et al, libellants, vs. The Steamer "Leversons" her engines &c., Charles William Woodruff, Master and claimant.

per Mr. Chief Justice Waite.

Calvin Claflin, Cyrus Tatewood, John Parsons, Mary C. Williams, Frank C. Eddy, Benjamin S. Hatch, Thomas K. Burnham, jun. L. Robinson & Wm. F. Lockwood,

189 vs.

The South Carolina Railroad Company et al.

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina and on the motion of Mr. James Lowndes, of counsel for the ap-

plaintiffs in error. It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Waite.

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172 | Cedar Point Club, appellants vs. H. M. Rasin, assignee, &c. | On motion of Mr. J. M. Johnston, leave is hereby granted the Clerk to issue the Mandate in this cause.

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197 | Edwin L. Morgan et al., Plffs in Error. vs. Isaac Lenoan. | On motion of Mr. D. Phillips, of counsel for the defendant in error, ordered that this cause be, and the same is hereby, continued until the next term.

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167 | The Cumberland & Oxford Canal Corporation, Plffs in Error vs. The State of Maine. | Ordered by the Court that this cause be, and the same is hereby,

continued until the next term.

266	William Adam et al., vs. Hopkins in error. J. K. Bonnis et al.	This cause was argued by Mr. J. K. Ridington, of counsel for the

defendants in error, and submitted on printed arguments by Mr. S. F. Leib, of counsel for the plaintiffs in error, and by Mr D. J. Brooks, of counsel for the defendants in error.

271	The National Steam Navigation Company, vs. Joseph H. Dyer et al., and	The argument of these causes was commenced by Mr. William Allen Butler, of
279	Joseph H. Dyer et al., vs. The National Steam Navigation Company	counsel for the appellants in No. 271 and the appellee in No. 279.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday April 19th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
} Associate Justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William Allen Butler, it is ordered that Arthur Stem, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morton P. Henry, it is ordered that Charles Henry Jones,

Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Schuyler's Steam Tow-Boat Line,	On motion of Mr. William Allen Butler, in behalf of counsel - It is ordered that leave be granted the Clerk to issue the Mandate in these cases.
231	vs. Appellant.	
	Madison M. Caleb	
	Madison M. Caleb;	
235	vs. Appellant.	
	Wm. H. Peck & Sam'l Schuyler and	
	Chas. & Arthur Wilson	
236	vs. Appellants.	
	Madison M. Caleb	

	The Mayor, &c., of the City of Louisiana,	On motion of Mr. T. C. & W. C. Kenney, in behalf of counsel, leave is hereby
1131	vs. Plffs. in Error.	
	The U. S. Exrs. Thos. J. Wood	

granted the Clerk to issue the Mandate in this cause.

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271 The National Steam Navigation Company, Appellant. vs. Joseph H. Dyer et al.

and

270 Joseph H. Dyer et al., Appellants. vs. The National Steam Navigation Company.

The argument of these cases was continued by Mr. William Allen Butler, of counsel for the appellant in No. 271 and appellee in No. 270, and by Mr. James C. Carter and Mr. L. D. Benedict, of counsel for the appellees in No. 271 and appellants in No. 270, and concluded by Mr. Wm Allen Butler, of counsel for the appellant in No. 271 and appellee in No. 270.

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272 The American Life Insurance Company, Plff. in Error. vs. The Town of Bruce.

The argument of this cause was commenced by Mr. Henry Hazlehurst, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday April 20th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite — Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
— Associate Justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

101	Emma Newell, Pltff. in Error vs. John L. Bates et al.	Mr. Charles C. Welch, of counsel for the defendants in error, suggested

the death of Emma Newell, the plaintiff in error in this cause, and moved the Court for an order under the 15th rule to make the proper representatives parties— Whereupon it is now here ordered by the Court that unless the proper representatives of the said Emma Newell, deceased,

as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the defendants in error shall be entitled to have the writ of error dismissed— Provided, that a copy of this order shall be printed in some newspaper at the seat of Government, of general circulation, for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

per Mr. Chief Justice Waite.

The American Life Insurance Company, Plff. in Error: vs. The Town of Bruce

772

For argument of this cause was continued by Mr. Henry Hazlehurst, of counsel for the plaintiff in error, by Mr. P. Phillips, of counsel for the defendant in error, and concluded by Mr. Henry Hazlehurst, of counsel for the plaintiff in error.

Wednesday April 20th 1881, continued

273	The St. Joseph & Denver City Railroad Company, vs. Hff. in Err'r. Matthew Baldwin.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John F. Dillon, of counsel for the plaintiff in error, and by Mr. E. E. Brown, of counsel for the defendant in error.

274	James H. Schaumburg, vs. Hff. in Error. The United States.	This cause was argued by Mr. Charles Henry Jones, and Mr. George H. Biddle, of counsel for the plaintiff in error, and submitted on printed argument by Mr. Solicitor General Phillips, of counsel for the defendant in error.

275	Joseph Golding, Master &c., vs. Appellant. The Steamship "Illinois" &c.	This cause was argued by Mr. J. M. Warren Coulston, of counsel for the appellant and by Mr. Morton P. Henry, of counsel

for the appellee.

193	Samuel T. Walker's Executors, &c. et al. vs. The United States.	Appellants.	Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

276	Robert Sorrell, vs. Grayson M. Forest.	Plff. in Error	Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

186	W. K. Stevenson et al., vs. The Texas & Pacific Railroad Company.	Appellants.	On motion of Mr. H. S. Herndon, ordered that one half hour additional time be allowed counsel for the appellants on the argument of this cause.

Wednesday April 21st 1881, continued.

186 | T. K. Stevenson et al., appellants. vs. The Texas & Pacific Railroad Company. | The argument of this cause was commenced by Mr. W. S. Henderson, of counsel for the appellants, and it appearing that Mr. Justice Harlan had formerly been of counsel for some of the parties interested in this cause — It is ordered that the cause be continued until the next term.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday April 21st 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite	Chief Justice.
Samuel F. Miller	Associate Justices.
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	

John F. Nicolay Esquire Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. George F. Edmunds, it is ordered that O. H. Platt Esquire, of Meriden, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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211 The Hopkins & Dickinson Manufacturing Company, Appellant. vs. P. and F. Corbin et al.

This cause was argued by Mr. Edmund Hickmore, of counsel for the appellant, and by Mr. C. E. Mitchell, of counsel for the appellees.

Ex parte: In the matter of the Connecticut Mutual Life Insurance Company, Original Petitioner.

The petition for a Writ of Mandamus in this cause was argued by Mr. E. S. Isham, in support of the same, and by Mr. George F. Edmunds and Mr. H. C. Purdy, in opposition thereto.

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277 Edmund H. Gleason, Appellant. vs. The Union Paper Bag Machine Co., et al.

This cause was argued by Mr. Jno. R. Bennett, & submitted on printed argument by Mr. George Harding, of counsel for the appellees. No counsel appearing for the appellant.

Proclamation being made the Court is adjourn-

Friday April 22nd 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
} Associate Justices.

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith, it is ordered that Lucian A. Thompson, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. T. L. James, it is ordered that Harvey N. Shepard, Esquire, of

Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Lowndes, it is ordered that John Davis, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. Chambers, it is ordered that C. S. Liddle, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George H. Kinney, Andrew J. Bryant & Frederick Smith, Appellants. vs. The Consolidated Virginia Mining Company, The California Mining Company, James C. Flood and Solomon Heydenfeldt.	Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and on the motion of Mr. William M. McKenney, of counsel for the appellants. It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

278	The Ship "Civilta" &c. vs. Augustus D. Ferry et al. and The Steam Tug "Restless" &c. vs. Augustus D. Ferry et al.	Appellants. Appellants.	These cases were argued by Mr. L. E. Chittenden, of counsel for the appellants in No. 296, and by Mr. R. D. Benedict, of counsel for the appellees, and submitted on printed argument by Messrs. Butler, Stillman and Hubbard, of counsel for the appellants in No 278.
296			

280	Chas. H. Wight, Assignee &c., vs. Stephen H. Condict.	Appellant.	This cause was argued by Mr. D. D. Riddle, of counsel for the appellant, and by Mr. William D. Shamburs, of counsel for the appellee.

251	Nelson Tisdale et al, vs. Lucius S. Penniman	Plffs in Error.	This cause was argued by Mr. Harvey S. Shepard, of counsel for the plaintiffs in error, and submitted on printed argument by S. F. Thurston, of counsel

for the defendant in error.

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283 The Central National Bank of Baltimore, vs. Appellant. The Connecticut Mutual Life Insurance Company.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

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284 The Sandusky Seat Co. et al. vs. Appellants. Theodore Comstock et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

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285 D. L. Whitney et al., vs. Plff's in Error. Alexander H. Cook et al.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. F. Phillips, of counsel for the defendants in error. No counsel appearing for the plaintiffs in error.

Friday April 22nd 1881, continued.

286	Charles T. Davis vs. Edgar Speidon.	This cause was argued by Mr. H. H. Mallinger, of counsel for the appellee, and submitted on printed argument by Mr. J. J. Edwards and Mr. Jos. Barnard, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at ten o'clock.

Monday April 25th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices.
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William S. Woods	

John F. T. Pierpoint, Esquire, Marshal
James H. McKenney, Clerk.

On motion first made to the Court in this behalf by Hon. George F. Edmunds, it is ordered that Thomas G. Shearman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court - and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. C. Bancroft Davis, it is ordered that William C. Dorr, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Monday April 25th 1881, continued

On motion first made to the Court in this behalf by Mr. Samuel Lord jr. it is ordered that Samuel H. Melton, Esquire, of Columbia, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. William Lawrence, it is ordered that John C. Price, Esquire, of Sciopontaine, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. George H. Williams, it is ordered that H. D. Coughlin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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263 The Indiana & Illinois Central Railway Company, Appellant, vs. Henrietta L. Sprague

Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

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251 The Bartlett Land and Lumber Company, Plff. in Error, vs. Daniel Saunders.

In Error to the Circuit Court of the United States for the District of New Hampshire.

Monday April 25th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Hampshire, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

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761 Christopher Sceanyan, Plff. in Error. vs. The Winchester Repeating Arms Company. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the

said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. justice Field.

Thomas Thacher, Claimant of One hundred & five packages of distilled Spirits.	In Error to the Circuit Court of the United States for the South
182 vs. Plff. in Error.	
The United States.	

ern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed.

per Mr. justice Miller.

Monday April 25th 1859, continued

2147 Harvey D. Wilmot, Plff. in Error
vs.
Enoch T. Mudge, Joseph Sawyer, Gustavus V. Fox, Charles R. Joy and Lowell Lincoln, co-partners as E.T. Mudge, Sawyer & Company.

In Error to the Superior Court of the Commonwealth of Massachusetts, within and for the County of Suffolk.

This cause came on to be heard on the transcript of the record from the Superior Court of the Commonwealth of Massachusetts, within and for the County of Suffolk, and was argued by Counsel.

On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Superior Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Mr. Justice Miller.

214	John S. Kennedy, Joseph S. Fay & Saml. J. Broadwell, vs. The City of Indianapolis, James N. Alleman, and The Indianapolis, Cincinnati & Lafayette Railroad Co.	Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

118	The Richmond Mining Company of Nevada, vs. The Eureka Consolidated Mining Company.	In Error to the Circuit Court of the United States for the District of Nevada.

Monday April 25th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nevada, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

116

The Richmond Mining Company of Nevada, Thos. Kinsey & Jos. Folks vs. The Eureka Consolidated Mining Company.

Appeal from the Circuit Court of the United States for the District of Nevada.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nevada, and was argued by counsel — On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court,

Monday April 25th 1881, continued

in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

177	The Richmond Mining Company of Nevada, vs. The Eureka Consolidated Mining Company.	Appeal from the Circuit Court of the United States for the District of Nevada.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nevada, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, on cross bill, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

286	Charles F. Davis, vs. Edgar Speiden.	Ordered by the Court that the submission of

this cause be set aside and the cause restored to its place on the docket.

per Mr. Chief Justice Waite.

William E. Clark,		Mr. Wm J. Miller filed and submitted to the consideration of the Court,
261 vs.	Appellant.	
John J. Killian, Admr &c. of William Schlorb, decd, Mary Margaret Schlorb et al.		

motion for leave to docket the cross appeal of John J. Killian, Administrator &c, of William Schlorb, decd, Mary Margaret Schlorb et al.

The State of New York,		On motion of Mr. Williams Dyer of counsel for the complainant,
1 Original.	Complainant.	
The State of Louisiana et al.		

leave is hereby granted to file Bill of Complaint in this cause and Subpoenas are ordered to be issued to the defendants in the cause returnable on the second Monday of October next.

Monday April 25th 1881, continued

1095 George H. Williams et al, Appellants. vs. Calvin Claplin et al.

The argument of the motion to vacate the Supersedeas or for a new bond in this cause was commenced by Mr. James Lowndes, in support of the same, continued by Mr. P. Phillips and Mr. Samuel Lord jr., in opposition thereto, and concluded by Mr. George H. Edmunds, in support of the same.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday May 2nd 1881

Pursuant to adjournment the Court met today at the Capital.

Present-

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
} Associate Justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court opened.

On motion first made to the Court in this behalf by Hon. F. M. Cockrill, it is ordered that Jacob C. Freeman, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. B. R. Hill, it is ordered that William Edgar Rogers, Esquire, of Jersey

City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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241 The Hopkins & Dickinson Manufacturing Company, Appellant
vs.
J. & F. Corbin, F. R. North, and Charles Peck.

Appeal from the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Woods.

781	Nelson Hail, Jader, and Charles S. Perham, and William Swindle, committing creditors, vs. Lucius S. Penniman	In Error to the Supreme Court of the State of Rhode Island

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Rhode Island, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

78	The County of Morgan, vs. John Allen, survivor &c. Appellant.	On consideration of the petition for a rehearing filed in this cause by The County of Morgan
793	and John Allen, survivor &c. vs. The County of Morgan Appellant.	

It is ordered that said petition be, and the same is hereby, denied.

per Mr. Justice Harlan

1096 Edward Bonham et al. vs. Thomas B. Needles, Executor, &c., et al. | On consideration of the petition for a rehearing filed in this cause by the plaintiffs in error. It is ordered that said petition be, and the same is hereby, denied

per Mr Justice Harlan.

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764 William E. Clark vs. John George Killian, Administrator &c., of William Schlorb deed, Mary Margaret Schlorb et al. | Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel — On

consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs, but without prejudice to any right of appellees to perfect their appeal.

per Mr Justice Harlan

The Town of Thompson		In Error to the
782 vs.	Hyp. in Error	Circuit Court
Orlando Perrine		of the United
		States for the

Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest until paid, at the same rate

per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Harlan

160

George Dale Blake, Arthur H. Blake & Joseph C. Brown, Executors of George Dale Blake, deceased,
vs.
John H. Wilkins, judge of the Probate Court for the County of Suffolk, Mass.

In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel — On consideration whereof — It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, &c, and the same is hereby affirmed with costs.

per Mr. Justice Harlan

	William Neal,	In Error to the
165	vs. Plff. in Error	Court of Oyer and
	The State of Delaware	Terminer of New
		Castle County,

State of Delaware.

This cause came on to be heard on the transcript of the record from the Court of Oyer and Terminer of New Castle County, State of Delaware, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Oyer and Terminer, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Court of Oyer and Terminer, with directions to set aside the judgment and verdict, as well as the order denying the motions to quash the indictment and panels of jurors, and for such proceedings upon a further hearing of those motions, as may be consistent with the principles of the opinion of this Court. per Mr. Justice Harlan
dissenting.

517 William S. Hoyt, Appellant
vs.
Amasa Sprague et al.

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, &c, and the same is hereby affirmed with costs.

Per Mr. Justice Bradley.

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518 Charles S. Franklyn, & Susan S. Franklyn, his wife. Appellants.
vs.
Amasa Sprague et al.

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

	The New York Life Insurance Company,	In Error to the Circuit Court of the United States for the District of Minnesota.
227	vs. Affirmed in Error.	
	Edson C. Bangs, by his guardian ad litem Cushman K. Davis.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby,

affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

per Mr. Justice Field.

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693 The New York Life Insurance Company, vs. Edson C. Bangs, by his guardian ad litem Cushman K. Davis and Eliza E. Bangs

Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

159	The National Bank of Genesee, pltf. in Error. vs. H. M. Whitney et al.	On consideration of the petitions of the plaintiff in error for a re-hearing and

of Elmer for M. McCormick, one of the defendants in error, that the costs in this Court and in the State Court be paid out of the fund in Court, it is ordered that said petitions be, and the same are hereby, denied.

It is further ordered that said McCormick have judgment against the said plaintiff in error, The National Bank of Genesee, for his costs in this Court and the State Court and that execution issue therefor.

It is further ordered that the decree rendered by this Court in this cause on the 21st day of March, 1881, be entered nunc pro tunc as of the 10th day of January, 1881.

per Mr. Justice Field.

The St. Joseph & Denver City Railroad Company, et al vs. Matthew Baldwin.	In Error to the Supreme Court of the State of Nebraska.

743

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court with directions for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Field.

Dissenting:
Mr. Chief Justice Waite.
Mr. Justice Miller.

1136 J. T. Walker, vs. Hoff in Error. The State of Virginia.

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, That the judgment of the said Supreme Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; And that this cause, be, and the same is hereby, remanded to the said Supreme Court of Appeals for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Field.

166

The School District No. 56 of Richardson County, Nebraska, Plff. in Error
vs.
The St. Joseph Fire & Marine Insurance Company.

In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause, be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein not inconsistent with the opinion of this Court.

per Mr. Justice Miller

266	William Adam and J. L. Schuman vs. J. R. Hoyt, Ian Robbins, James Griffith et al.	Appts. in Error	In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

7	John S. Williams and William H. Brown vs. The State of Louisiana, Charles Clinton, Sheriff, &c. et al.	Appts. in Error.	In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the

transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel - On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Miller.

Harrison Durkee, John Ponder et al,		Appeal from the Circuit Court of the United States for the District of Louisiana.
265	vs. Appellants.	
The Board of Liquidation of the State of Louisiana.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel - On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and

The same is hereby, affirmed with costs.

per Mr. Justice Miller.

369	Talmadge C. Brown and Anna L. Brown, vs. John D. F. Slee, Charles J. Langdon, Theodore H. Crane, et al, Executors of Jarvis Langdon, deceased. Appellants.	Appeal from the Circuit Court of the United States for the District of Iowa

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

370	James H. Schaumburg, vs. The United States. Plff. in Error.	In Error to the Circuit Court of the

Monday May 2nd 1881, continued

United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, &c, and the same is hereby affirmed.

per Mr. Chief Justice Waite.

Joseph Holding, Master, &c., of the Schooner "Ellen Holgate," Appellant
vs.
The Steamship "Illinois" John H. Shackford, Master, The American Steamship Company, Claimant.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

175

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

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277 Edmund McCready, vs. The Union Paper Bag Machine Company, E. A. Hollingsworth & E. Whitney, Jr.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and damages

at the rate of ten per cent. in addition to interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of Pennsylvania.

per Mr. Chief Justice Waite

The Ship "Civitta," her tackle, &c. Casimir Casulich, Claimant.
vs. Appellant.
Augustus B. Perry et al.
and
The Steam-Tug "Restless", her engines &c., John G. Blake, Claimant,
vs. Appellant.
Augustus B. Perry et al.

Appeals from the Circuit Court of the United States for the Southern District of New York.

278
276

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, on separate appeals, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and

the same is hereby affirmed. Each appellant to pay the costs of their appeal in this Court.

per Mr. Chief Justice Waite.

Charles A. Knight, Assignee of Lyron Sherman and Peter Sherman, Bankrupts, Appellants.
vs.
Stephen H. Condict.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

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285 D. D. Whitney et al., vs. Alexander H. Cook et al. | In Error to the Circuit Court of the United States for the Southern District of Mississippi

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, and adjudged by this Court, that the judgments of the said Circuit Court, in this cause, be, and the same are hereby affirmed with costs, and two hundred and fifty dollars damages against John A. Klein, in addition to interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Mississippi.

per Mr. Chief Justice Waite.

Ex parte: In the matter of The Connecticut Mutual Life Insurance Company, Original — Petitioner.

On consideration of the petition for a writ of Mandamus filed in this cause - It is ordered that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

Charles K. Marshall et al., vs. Appellants. The Steamship "Adriatic", &c.

On consideration of the motion to amend the record in this cause, - It is ordered that said motion be, and the same is hereby, denied

per Mr. Chief Justice Waite.

Amendment - to Rule 8.

Ordered, That the 8th Rule of this Court be amended by adding thereto the following paragraph - 6. The record in causes of admiralty and maritime jurisdiction, when under the requirements of law the facts have been found in the Court below,

and our power of review is limited to the determination of questions of law arising on the record, shall be confined to the pleadings, the findings of fact and conclusions of law thereon, the bills of exceptions, the final judgment or decree, and such interlocutory orders and decrees as may be necessary to a proper review of the case.

Amendment to 52nd Rule in Admiralty.

Ordered That the 52nd Rule in Admiralty be amended by adding thereto the following paragraph—

3. Hereafter, in making up the record to be transmitted to the Circuit Court on appeal, the clerk of the district court shall omit therefrom any of the pleadings, testimony or exhibits which the parties by their proctors shall by written stipulation agree may be omitted: and such stipulation shall be certified up with the record.

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595 | Francis O. Winckley, vs. Appellant. Levi P. Morton et al. | On consideration of the petition for a re-

hearing filed in this cause by the appellant. It is ordered that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

1195 | George H. Williams et al., appellants. vs. Calvin Coplin et al. | On consideration of the motion to vacate the Supersedeas in this cause, or for a new Bond - It is ordered that the Supersedeas herein be so far modified as to allow a sale of the mortgage property to be made under the decree, but that the Court below retain in its registry, subject to the order of this Court, until the final determination of the present appeal, so much of the proceeds as shall be sufficient to satisfy and discharge any balance that may remain of the debt due these appellants, after the proportionate share thereof in under the decree upon the bonds and coupons they hold as collateral shall have been applied thereon.

per Mr. Chief Justice Waite.

Ex parte: In the matter of William Horton et al., Petitioners.

On consideration of the motion for leave to file a petition for a Writ of Prohibition in this cause - It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

The Board of Supervisors of Wayne County et al., Plffs in Error.
219 vs.
John H. Remick et al.

Ordered that the judgment entered in this cause on the 4th day of April, 1881, be set aside and that in lieu thereof the following judgment be entered.

per Mr. Chief Justice Waite.

The Board of Supervisors of Wayne County, Oliver Holmes, Thomas L. Cooper, Wm. Shaffer et al.
219 vs. Plffs. in Error.
John H. Remick,
Joseph H. Ward et al.

In Error to the Circuit Court of the United States for the Southern District of Illinois.

Monday May 2nd 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein not inconsistent with the opinion of this Court,

per Mr. Chief Justice Waite.

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60 John Forman, vs. Plff. in Error.
The Board of Commissioners of Boise County.

On consideration of the motion to vacate the judgment of dismissal entered in this cause and to restore the cause to its place on the docket. It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

Order

It appearing to the Court that a new allotment of the Chief Justice and Associate Justices of this Court among the Circuits now existing by law is required and is expedient by reason of the protracted disability of Mr. Justice Clifford and the resignation of Mr. Justice Swayne,

Now, therefore, be it ordered by the Court that the following allotment be made –

First Circuit –	Mr. Justice Harlan
Second Circuit –	Mr. Justice Hunt
Third Circuit –	Mr. Justice Bradley
Fourth Circuit –	Mr. Chief Justice Waite
Fifth Circuit –	Mr. Justice Woods
Sixth Circuit –	Mr. Justice Bradley
Seventh Circuit –	Mr. Justice Harlan
Eighth Circuit –	Mr. Justice Miller
Ninth Circuit –	Mr. Justice Field.

Order

The Reporter having represented that owing to the number of divisions at the term it will be impracticable to put the reports in one volume, - It is now thereon ordered that he publish an additional volume in this year pursuant to section 681 of the Revised Statutes.

Order

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business of the term not disposed of by the Court, be, and the same are hereby, continued to the next term of this Court.

1189

August Beck, Appellant. vs. Cordesse Excavating Apparatus Company.

Wm. J. M. Wilson, of Counsel for the appellee, having filed in open Court the following certificate to wit:

"Circuit Court of the United States for the District of Maryland.-

I, James H. Chew, Clerk of the Circuit Court of the U. S. for the District of Maryland, do hereby certify that in a certain cause pending in said Court, wherein The Cadiess Excavating Apparatus Company was complainant and August Beck was defendant, a final decree was rendered by said Circuit Court on the 5th of July, 1880, in favor of said complainant, and against the said defendant; and that on the same day the said Defendant prayed an appeal to the Supreme Court of the United States, which was duly allowed on the 9th day of July, 1880.

In testimony whereof I hereunto set my hand and affix the seal of the said Circuit Court, this 30th day of April, 1881.

(Seal)

Jas. H. Chew
Clerk of said Circuit Court."

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to

to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1190 John L. Blades and Thomas S. Brightson, Appellants. vs. The Odorless Excavating Apparatus Company.

Mr. J. M. Nelson, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the District of Maryland.

I, James H. Chew, Clerk of the Circuit

Court of the United States for the District of Maryland, do hereby certify that in a certain cause wherein The Cadiess Excavating Apparatus Company was complainant and John L. Blades and Thomas J. Wrightson were defendants, a final decree was rendered in the said Circuit Court on the 5th day of July A.D. 1880, in favor of said complainant and against the said defendant, and that on the same day the said defendant prayed an appeal to the Supreme Court of the United States which was duly allowed on the 9th day of July, A.D. 1880.

In testimony whereof I hereto set my hand and affix the seal of said Circuit Court this 30th day of April A.D. 1881.

(Seal)

Jas. H. Chew
Clerk of said Circuit Court

and having stated that the appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal,

moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1191 William F. Bragg, Appellant vs The Cedar Rock Excavating & Sprinkling Company.

Mr. J. M. Wilson, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the District of Maryland.

I, James H. Chew, Clerk of the Circuit Court of the United States for the District of Maryland, do hereby certify that

in a certain cause pending in said Court, wherein The Oderless Excavating Apparatus Company was complainant and William F. Bragg was dependant, a final decree was rendered by said Circuit Court on the 5th of July, 1880, in favor of said complainant and against the said dependant, and that on the same day the said dependant prayed an appeal to the Supreme Court of the United States, which was duly allowed on the 9th of July, 1880.

In testimony whereof I hereunto set my hand and affix the seal of the said Circuit Court, this 30th day of April, 1881.

(Seal)

Jas. H. Chew
Clerk of said Circuit Court.

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed — On con-

Monday May 2nd 1881, continued

sideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby docketed and dismissed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1193 Francis Collins, Appellant, vs. The Cadiz Excavating Apparatus Company

Mr. J. M. Nelson, of counsel for the appellee, having filed in open Court, the following certificate, to wit:

"Circuit Court of the United States for the District of Maryland.

I, James H. Chew, Clerk of the United States for the District of Maryland, do hereby certify that in a certain cause pending in said Court, wherein The Cadiz Excavating Apparatus Company was complainant and Francis Collins

was defendant, a final decree was rendered by said Circuit Court on the 6th of July, 1880, in favor of said complainant and against the said defendant; and that on the same day the said defendant prayed an appeal to the Supreme Court of the United States which was duly allowed on the 9th of July, 1880.

In testimony whereof I hereunto set my hand and affix the seal of the said Circuit Court, this 30th day of April, 1881.

(Seal)

Jas. H. Chew.
Clerk of said Circuit Court.

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of

Maryland be, and the same is hereby, dock-
eted and dismissed with costs; and that
this cause be, and the same is hereby, re-
manded to the said Circuit Court to be
proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1193

Michael Lean,
vs. } Appellant.
The Cadiz Excavating
Apparatus Company.

Wm. J. M. Wilson,
of counsel for the
appellee, having
filed in open Court
the following certif-
icate, to wit:

"Circuit Court of the United States
for the District of Maryland.

I, James H. Chew, Clerk of the Circuit
Court of the United States for the District
of Maryland, do hereby certify that in a
certain cause pending in said Court
wherein the Cadiz Excavating Appara-
tus Company was complainant and
Michael Lean, defendant, a final de-
cree was rendered by said Circuit Court
on the 5th day of July, 1880, in favor of
said complainant and against said

defendant and that on the same day the said defendant prayed an appeal to the Supreme Court of the United States which was duly allowed on the 9th day of July 1880.

In testimony whereof I hereby set my hand and affix the seal of said Circuit Court this 30th day of April 1881.

(Seal)

Jas. W. Chew
Clerk of said Circuit Court"

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby,

remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Waite.

1191 Leonard Leek, vs. Appellant. The Edeless Excavating Apparatus Company.

Mr. J. M. Wilson, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the District of Maryland.

I, James H. Chew, Clerk of the Circuit Court of the United States for the District of Maryland, do hereby certify that in a certain cause pending in said Court wherein The Edeless Excavating Apparatus Company was complainant and Leonard Leek was defendant, a final decree was rendered by said Circuit Court on the 5th day of July, 1880, in favor of said complainant and against said defendant and that on the same day the said defendant prayed an appeal to the Supreme Court of the

United States which was duly allowed on the 9th day of July, 1880

In testimony whereof I I have set my hand and fix the Seal of said Circuit Court this 30th day of April 1881,

(Seal)

Jas. H. Chew
Clerk of said Circuit Court

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; and that this cause be and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Monday May 2nd 1881, continued

1195 Daniel Dougherty, vs Appellant. The Cadiss Excavating Apparatus Company.

Mr. J. M. Wilson, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the District of Maryland.

I, James W. Chew, Clerk of the Circuit Court of the United States for the District of Maryland, do hereby certify that in a certain cause wherein The Cadiss Excavating Apparatus Company was complainant and Daniel Dougherty was defendant, a final decree was rendered by the said Circuit Court on the 5th day of July, A. D. 1880, in favor of said complainant and against the said defendant, and that on the same day the said defendant prayed an appeal to the Supreme Court of the United States which was duly allowed on the 9th day of July A. D. 1880.

In testimony whereof &c, I hereto set my hand and affix the seal of

(Seal) said Circuit Court
this 30th day of April
A. D. 1881.
Jas. H. Chew
Clerk of said Circuit Court.

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland, be, and the same is hereby docketed and dismissed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Monday May 2nd 1881, continued

1196 Henry Garrett, vs. Appellant. The Cederless Excavating Apparatus Company.

Mr. J. M. Wilson, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the District of Maryland.

I, James H. Chew, Clerk of the Circuit Court of the United States for the District of Maryland, do hereby certify that in a certain cause pending in said Court, wherein The Cederless Excavating Apparatus Company was complainant and Henry Garrett was defendant, a final decree was rendered by said Circuit Court on the 15th of June 1880, in favor of said complainant and against the said defendant; and that on the same day the said defendant prayed an appeal to the Supreme Court of the United States which was duly allowed on the 9th day of July 1880.

In testimony whereof I hereunto set my hand

(Seal)

and affix the seal of the said Circuit Court, this 30th day of April 1881.

Jas. H. Chew
Clerk of said Circuit Court"

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Monday May 2nd 1881, continued

1197 Isaac Tremeringer, vs The Cederlos Excavating Apparatus Company. Appellant.

Mr. J. M. Nelson, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the District of Maryland.

I, James R. Chew, Clerk of the Circuit Court of the United States for the District of Maryland, do hereby certify that in a certain cause wherein The Cederlos Excavating Apparatus Company was complainant and Isaac Tremeringer was defendant, a final decree was rendered by the said Circuit Court on the 15th day of June A. D. 1880, in favor of said complainant and against the said defendant, and that on the same day the said defendant prayed an appeal to the Supreme Court of the United States, which was duly allowed on the 9th day of July A. D. 1880.

In testimony whereof I hereunto set my hand and affix the Seal of

Monday May 2nd 1851, continued

(Seal) Said Circuit Court
this 30th day of April
A.D. 1851.
Jas. H. Thos
Clerk of said Circuit Court"

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Taney.

1191 Solomon S. Hogg, vs. Appellant. The Cadiess Excavating Apparatus Company.

Mr. J. M. Wilson, of counsel for the appellee, having filed in open Court the following certificate, to-wit:

"Circuit Court of the United States for the District of Maryland.

I, James H. Chew, Clerk of the Circuit Court of the United States for the District of Maryland, do hereby certify that in a certain cause pending in said Court wherein The Cadiess Excavating Apparatus Company was complainant and Solomon S. Hogg was defendant a final decree was rendered by said Circuit Court on the 5th day of July 1880 in favor of said complainant and against said defendant and that on the same day the said defendant prayed an appeal to the Supreme Court of the United States which was duly allowed on the 9th day of July 1880.

In testimony whereof I hereby set my hand and fix the seal of

Monday May 2nd 1881, continued

(Seal) Said Circuit Court
this 30th day of April
1881.
Jas. H. Chew,
Clerk of said Circuit Court.

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

Monday May 2nd 1881, continued

1199 James McCracken, vs. Appellant
The Cedar Less Excavating Apparatus Company.

Mr. J. M. Hudson, of counsel for the appellee, having filed in open Court, the following certificate, to wit:

"Circuit Court of the United States for the District of Maryland.

I, James H. Chew, Clerk of the Circuit Court of the United States for the District of Maryland, do hereby certify that in a certain cause wherein the Cedar Less Excavating Apparatus Company was complainant and James McCracken was defendant, a final decree was rendered by said Circuit Court on the 9th day of June A. D. 1880, in favor of the said complainant and against the said defendant, and that on the same day the said defendant prayed an appeal to the Supreme Court of the United States which was duly allowed on the 9th day of July A. D. 1880.

In testimony whereof &c
I hereto set my hand

and affix the seal
of said Circuit Court
this 30th day of April
A. D. 1881

(Seal)

Jas. H. Chew
Clerk of said Circuit Court"

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1900

Joshua Chalk and Henry Miller, vs. Appellants. The Cadeless Excavating Apparatus Company.

Wm. H. H. Wilson, of Counsel for the appellee, having filed in open Court, the following certificate, to wit:

"Circuit Court of the United States for the District of Maryland.

I, James H. Chew, Clerk of the Circuit Court of the United States for the District of Maryland, do hereby certify that in a certain cause pending in said Court, wherein The Cadeless Excavating Apparatus Company was complainant and Joshua Chalk and Henry Miller were defendants, a final decree was rendered by said Circuit Court on the 5th of July 1880, in favor of the said complainant and against the said defendants; and that on the same day the said defendants prayed an appeal to the Supreme Court of the United States, which was duly allowed on the 9th day of July 1880

In testimony whereof

(Seal)

I hereunto set my hand and affix the Seal of the said Circuit Court, this 30th day of April 1881.

Jas. H. Chew
Clerk of said Circuit Court.

and having stated that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed - On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

1201 Henry Pass, vs. Appellant.
The Cadiess Excavating Apparatus Company.

Mr. J. M. Wilson, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the District of Maryland.

I, James H. Chew, Clerk of the Circuit Court of the United States for the District of Maryland, do hereby certify that in a certain cause pending in said Court wherein The Cadiess Excavating Apparatus Company was complainant and Henry Pass was defendant, a final decree was rendered by said Circuit Court on the 5th day of July A. D. 1880, in favor of the said complainant and against the said defendant; and that on the same day the said defendant prayed an appeal to the Supreme Court of the United States which was duly allowed on the 9th day of July A. D. 1880.

In testimony whereof &c
I have set my hand

(Seal)

and affix the seal of said Court this 30th day of April 1881.

Jds. T. Chew

Clerk of the said Circuit Court.

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 6th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1202 John Schmidt, vs. The Odorless Excavating Apparatus Company. Appellant.

Mr. J. M. Nelson, of counsel for the appellee, having filed in open Court the following certificate, to-wit:

"Circuit Court of the United States for the District of Maryland.

I, James H. Chew, Clerk of the Circuit Court of the United States for the District of Maryland, do hereby certify that in a certain cause pending in said Court, wherein The Odorless Excavating Apparatus Company was complainant and John Schmidt was defendant, a final decree was rendered by said Circuit Court on the 5th day of July, 1880, in favor of said complainant and against the said defendant, John Schmidt; and that on the same day the said defendant prayed an appeal to the Supreme Court of the United States which was duly allowed on the 9th day of July 1880.

In testimony whereof, I hereunto set my hand and affix the seal of

(Seal) The said Circuit Court,
this 30th day of April, 1881.
Jas. H. Chew
Clerk of said Circuit Court.

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court in pursuance of the 9th rule, to have this appeal docketed and dismissed - On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the District of Maryland be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.
per Mr. Chief Justice Waite.

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123 Frederick Victor et al., vs. Pffs in Error.
U. St. Arthur, Collector, &c.

On motion of Mr. Assistant Attorney General Smith -

it is ordered that leave be, and the same is hereby granted to file a petition for re-hearing in this cause at the next term and for that purpose it is ordered that the Mandate in this cause do not issue until the further order of this Court.

773	Frederick Vicker et al., vs. Plffs. in Error. U. S. Arthur, Collector, &c.	Ordered by the Court that leave be granted Mr. S. F. Kellogg to file brief in support of petition for re-hearing in this cause.

951	Edward L. Keyes, vs. Appellant. The United States.	On motion of Mr. Assistant Attorney General Smith - It is ordered that the submission of this cause, under the 20th, be, and the same is hereby, set aside and the cause restored to its place on the docket.

337

William C. Conner, Sheriff of the City & County of New York. vs. William A. Long Assignee of Benjamin A. Spaulding. | Mr. H. B. Hornblower of counsel for the defendant in error, suggested the death of William C. Conner, the plaintiff in error in this cause, and moved the Court for an order under the 15th rule, to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said William C. Conner, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the defendant in error shall be entitled to have the writ of error dismissed. Provided, that a copy of this order shall be printed in some newspaper at the seat of Government, of general circulation, for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

per Mr. Chief Justice Waite.

1136 Albert Grant
of C. A. 1879 vs Appellant
The Phoenix Mutual
Life Insurance Co.

On motion of Mr. H. L. Davidge - It is ordered that the motion to rescind the order docketing and dismissing this cause and to recall the Mandate be, and the same is hereby continued until the next term.

1118 H. Pinckney Walker and James M. Calder, Trustees, &c, vs Appellants.
Calvin Claflin et al.

On motion of Mr. James Lowndes It is ordered that a new Citation issue in this cause returnable on the first day of the next term.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes
of the
Supreme Court
of the
United States
October Term
1881.

Monday October 10th 1881

At the Capitol of the United States, in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October, (being the tenth day of the same month) in the year of our Lord one thousand, eight hundred and eighty-one, and of the Independence of the United States the one hundred and sixth, the Supreme Court of the United States met agreeably to law.

Present-

The Honorable Morrison R. Waite — Chief Justice

Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
— Associate Justices.

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

The Chief Justice announced that since the adjournment of the Court the Honor-

able Stanley Matthews of Ohio had been appointed an Associate justice of this Court and had taken the oaths prescribed by law, and ordered that his commission be entered upon the minutes-

James A. Garfield
President of the United States of America,
To all who shall see these Presents, Greeting:

Know Ye, That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Stanley Matthews of Ohio, I have nominated, and by and with the advice and consent of the Senate, do appoint him to be Associate Justice of the Supreme Court of the United States; and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Stanley Matthews, during his

good behaviour.

In testimony whereof, I have caused these Letters to be made patent and the seal of the United States to be hereunto affixed.

Given under my hand, at the City of Washington, the twelfth day of May, in the year of our Lord one thousand, eight hundred and eighty-one, and of the Independence of the United States of America the one hundred and fifth

(Seal)

James A. Garfield.

By the President:
James G. Blaine
Secretary of State.

I, Stanley Matthews, do solemnly swear that I will administer justice without respect to persons and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and

perform all the duties incumbent on me as an Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding agreeably to the Constitution and Laws of the United States: So help me God.

Stanley Matthews.

Subscribed and sworn
to before me this 17th
day of May A.D. 1881
M. R. Waite
Chief Justice Sup. Court U. S.

On motion first made to the Court in this behalf by Mr. Philip Phillips it is ordered that Alvin C. Searle, Esquire, of San Francisco, State of California, and Seymour D. Ball, Esquire, of Lock Haven, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George F. Appleby,

it is ordered that Franklin N. McConaughy Esquire, of Belleville, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. M. Wilson it is ordered that Charles N. Potter, Esquire, of Cheyenne, Wyoming Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

7	James T. Wood et al. vs. Plffs. in Error Robert Long et al., Assignees &c.	On motion of Mr. W. Bakewell, of counsel for the plaintiffs in error, Ordered that this cause be, and the same is hereby, continued until the next term.

The Chief Justice announced that the Court would commence the call of the docket tomorrow under the 26th Rule.

Proclamation being made the Court is adjourned

Tuesday October 11th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews — Associate Justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. F. P. Butler it is ordered that L. T. Hatfield Esquire, of Milan, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first to the Court in this behalf by Mr. Asa Iglehart, it is ordered that J. S. Buchanan, Esquire, Alexander Gilchrist, Esquire, and Hamilton N. Matti-

son, Esquire, of Evansville, State of Indiana, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. H. B. Crews, it is ordered that N. W. Mullins, Esquire, of Linneus, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles W. Hornor, it is ordered that Alfred Shaw, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Case it is ordered that James H. Brown, Esquire, of Denver, State of Colorado, be admitted

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fillmore Beall, it is ordered that Jacob Klein, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. John N. Thomas it is ordered that John J. Donaldson, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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5 J. Kingate Thornton, Plff in Error
vs.
The Marginal Freight Railroad Co. et al

On motion of Mr. E. B. Smith, of counsel for the plaintiff in error, ordered

that an alias Writ of Certiorari be issued in this case and that the cause be continued until the next term

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	Simon Haas & Rudolph Seligman	In Error to the Circuit Court of the United States for the Southern District of New York.
39	vs. Plffs. in Error	
	Chester A. Arthur, Collector of the Port of New York.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on motion of Mr. E. B. Smith, of counsel for the plaintiffs in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	William C. Conner, Sheriff &c.,	On motion of Mr. R. T. Merrick, in behalf
76	vs. Plff. in Error	
	Wm N. Long, Assignee &c.	

of counsel, ordered that William C. Conner, James N. Black, and James Conner, Executors of William C. Conner, deceased, be entered and made the parties plaintiffs in error in this cause in place of said William C. Conner, deceased, as aforesaid, with liberty to prosecute this writ of error.

The Goodrich Transportation Company, Plff. in Error. vs. The First Presbyterian Society of Green Bay & The Phenix Insurance Co.	In Error to the Circuit Court of the United States for the Eastern District of Wisconsin

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This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and on the stipulation of counsel on file and motion of Mr. Angus Cameron, of counsel for the defendants in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be,

and the same is hereby dismissed, each party paying their own costs.

per Mr Chief Justice Waite.

Ex parte: In the matter of William T. Clayton, Petitioner / Original.

Mr. Alfred Russell asked and obtained leave to file petition for a Writ of Prohibition and submitted motion for a rule to show cause why said Writ should not issue.

Ex parte: In the matter of James H. Harrison, Petitioner / Original.

Mr. Alexander Graves asked and obtained leave to file petition for a Writ of Mandamus and submitted motion for a rule to show cause why said Writ should not issue.

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360 Luther Tillmore and Jas. H. Hayford, Assignees of John Wanless. vs. Appellants. Preston Hare jr. Charles F. Cox, Frank N. Hare & Franklin H. Smith, partners under the firm name & style of P. Hare jr. & Co. et al.

Appeal from the Supreme Court of the Territory of Wyoming.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Wyoming, and on the motion of Mr. J. M. Wilson, of counsel for the appellants, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

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391 Narcissa Scruggs et al vs. Appellants. The Memphis & Charleston R.R. Co. & James H. Viser.

The motion to dismiss this cause was submitted

to the consideration of the Court on the record and printed argument by Mr. James N. Tiser in propria persona in support of the same.

65

Nathan C. Draper vs. Henry S. Davis et al.	Appellant. Appellees.

Mr Leigh Robinson, of counsel for the appellees, having filed in open Court a suggestion of a diminution of the record in this cause in the words and figures following, to wit:

"That Exhibit A to complainants' bill, being the deed of trust from Nathan C. Draper & wife of the first part, and Nathan C. Draper & wife & Johnson P. Thomas & wife of the second part to Anthony Hyde of the third part, has been wholly omitted from said record."

By reason of which omission and error aforesaid the said counsel now here moved the Court to award a Writ of Certiorari to be directed to the judges of the Supreme Court of the District of Columbia commanding them that

searching the record and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Supreme Court whatever omission and error shall be found to the extent above enumerated. On consideration whereof, It is now here ordered by this Court that a Writ of Certiorari be, and the same is hereby awarded, to be issued forthwith, and to be directed to the Judges of the Supreme Court of the District of Columbia commanding them that searching the record and proceedings aforesaid they forthwith certify to this Court under the seal of the said Supreme Court whatever omission and error shall be found to the extent above enumerated and return the same with the said Writ of Certiorari forthwith to this Court

per Mr. Chief Justice Waite

Tuesday October 11th 1881, continued

11 Original.	Ex parte: In the matter of The Detroit River Ferry Company, Petitioner and Ex parte: In the matter of Frederick Gordon, Petitioner	Ordered by the Court that these cases be, and they are hereby, assigned for argument on the second Monday of December next.

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5 1168	The Cincinnati & Chicago Air Line R. R. Co. vs. James Pullan, Trustee &c., Appellant. and James Pullan, Trustee &c., vs. The Cincinnati & Chicago Air Line R. R. Co., Appellant	Ordered by the Court that these cases be, and the same are hereby, passed.

17	Wm Dudley, Assignee &c., vs. Jane C. Easton, Admx &c., Appellant.	This cause was submitted to the consideration of the

Court on the record and printed argu-

ments by Mr. J. D. A. Dryden, of counsel for the appellant, and by Messrs. J. M. and C. K. Krum, of counsel for the appellees.

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6 George Hearst
vs. Appellant
Fanny B. Halligan,
Admx &c., et al.

The argument of this cause was commenced by Mr. Jacob Klein, of counsel for the appellant.

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6 George Hearst
vs. Appellant
Fanny B. Halligan,
Admx &c., et al.

Ordered by the Court that this cause be, and the same is hereby, passed until the first day of November next, with leave to counsel to file additional briefs and to be submitted on that day.

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9 The New Orleans, Mobile & Texas R.R. Co. et al.
vs. Appellants.
Henry Ellerman.

Ordered by the Court that this cause be, and the same is hereby, passed.

10	Elijah Smith, Receiver &c., vs. Warren McCullough et al. Appellant.	This cause was argued by Mr. L. T. Hatfield, of counsel for the appellant, and by Mr. John P. Butler & Mr. N. H. Mullins, of counsel for the appellees, and submitted on printed arguments by Mr. P. Henry Smyth and Mr. W. W. Pollard, of counsel for the appellant.

11	Henry H. Stow vs. The City of Chicago. Appellant	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr L. Hill, of counsel for the appellant, and by Mr. L. L. Bond, of counsel for the appellee.

12	The Banking House of Bartholow, Lewis & Co. vs. The Trustees of Schools of Township No 4 S., R. 8 W., Randolph County. Plaintiff	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern

Tuesday October 11th 1881, continued

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, It is considered by the Court that this cause should be dismissed at the cost of the plaintiff pursuant to the 19th rule of this Court. Whereupon, It is now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Tuesday October 11th 1881, continued

David C. Price
vs. Appellant
James E. Kelly

Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the appellant pursuant to the 16th rule of this Court. Whereupon, It is now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Wednesday October 12th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger it is ordered that Sidney Strong, Esquire, of Youngstown, State of Ohio, and Charles R. Morrison, Esquire, of Manchester, State of New Hampshire, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. S. Burdett it is

ordered that Charles N. Gildersleeve, Esquire, of Santa Fé, New Mexico Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. S. H. Kellogg it is ordered that L. H. Talbert, Esquire, of Belleville, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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13 | David C. Price vs. James E. Kelly, Appellant. | On motion of Mr. J. J. Noah, of counsel for the appellant, Ordered by the Court that the decree of dismissal pursuant to the 19th rule of this Court entered in this cause on the 11th instant be, and the same is hereby, rescinded and annulled and the cause restored to its place on the docket.

13	David C. Price vs. Appellant James E. Kelly	This cause was submitted to the consideration of the Court on the record and printed

argument by Mr. J. J. Scah, of counsel for the appellant. No counsel appearing for the appellee.

12	The Banking House of Bartholow, Lewis & Co. vs. Plaintiff The Trustees of Schools of Township No. 4 S., R 8 W, Randolph County	On motion of Mr. J. D. Stevenson, of counsel for the plaintiff. Ordered by the Court that the judgment of dismissal pursuant to the 19th

of this Court entered in this cause on the 11th instant, be, and the same is hereby, rescinded and annulled, and the cause restored to its place on the docket, to be placed at the foot of the day calendar.

11	John F. Martin vs. Plff in Error Luther N. Cole	This cause was submitted to the consideration of the Court on the record and printed

argument by Mr. N. M. Tilden, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

	Jay H. Harvey and James Lindsey	Ordered by the Court that this
16	vs. Appellants	cause be, and the
	The United States	same is hereby passed

	Samuel Strong	These cases were submit-
18	vs. Appellant	ted to the consideration
	Charles F. Tilley	of the Court on the
	and	record and printed
	Samuel Strong	arguments by Mr.
19	vs. Appellant	Nathaniel Wilson, of
	Charles F. Tilley	counsel for the appellant,
		and by Mr. L. E. Pine

and Mr. S. T. Thomas, of counsel for the appellee.

	The Lehigh Valley R. R. Co.	The argument
21	vs. Appellant	of this cause
	Edward Mellon et al.	was commenced

by Mr. N. D. Campbell, of counsel for the appellant,

continued by Mr. Hector T. Fenton and Mr. Furman Sheppard of counsel for the appellees, and concluded by Mr. E. A. Dickerson, of counsel for the appellant.

F. Corby Wilson & John S. Evenden, doing business under the firm name of Wilson & Evenden vs. James C. Moore and Patrick Hickey, doing business under the firm name of The Globe Can Company.	Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same - It is considered by the Court that this cause should be

dismissed at the cost of the appellants pursuant to the 19th Rule of this Court. Whereupon, It is now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

C. K. Stevenson et al Appellants. vs. The Texas & Pacific R.R. Co.	Ordered by the Court that this cause be, and the same is

73

hereby, passed.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday October 13th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
Stanley Matthews	

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. C. Burchard it is ordered that Frederic C. Ingalls, Esquire, of Utica, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Phillips it is ordered that Alfred Irwin, Esquire, of New Orleans, State of Louisiana, be admitted to practice

as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Sheldabarger it is ordered that Edward D. Mc Cleary, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. K. Mc Cammon, it is ordered that John K. Emory, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Samuel P. Walker's Executors &c.,
vs. Appellants.
The United States.

On motion of Mr. H. M. Bateman, of counsel for the appellants, Ordered by the Court that this cause be, and the same is hereby, passed on account of sickness of counsel, subject to provisions of section 7, Rule 26.

Thursday October 13th 1881, continued

25	The United States vs. Sec. H. Jackson et al	Pff. in Error

This cause was argued by Mr. Solicitor General Phillips, of counsel for the plaintiff in error, and by Mr. Samuel Shellabarger, of counsel for the defendants in error.

24	The Insurance Company of North America, vs. The Commonwealth of Pennsylvania	Pff. in Error

In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on the authority of counsel for the plaintiff in error on file, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

17	The Banking House of Bartholow, Lewis & Co. vs. The Trustees of Schools of Township No. 14 S., R. 8 E. Randolph County. Plaintiffs	Ordered by the Court that this cause be, and the same is hereby, passed until the 19th instant, then to be submitted on printed arguments.

78	The American Cotton Co. (Company Limited) James J. McComb et al vs. L. Scranton, J. Cavanaugh et al. Appellants	Appeal from the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost-

of the appellants, pursuant to the 19th rule of this Court. Whereupon, It is now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

for Mr. Chief Justice Waite

30	The Baltimore & Ohio R. R. Co. vs. Geo. H. Koontz, Admr &c.	Hff. in Error	Ordered by the Court that these cases be, and the same are hereby, passed until tomorrow on account of the sickness of counsel.
460	The Baltimore & Ohio R. R. Co. vs. Monroe Hunkhouser, Admr &c., and	Hff. in Error
758	The Baltimore & Ohio R. R. Co. vs. Monroe Hunkhouser, Admr &c.	Hff. in Error

32	The Newport & Cincinnati Bridge Company vs. The United States Appellant.	Ordered by the Court that this cause be, and the same is hereby, passed.

33	Jno. M. Bayly, individually and as Executor &c. vs. The Washington and Lee University. Plff. in Error.	On motion of Mr. James Lowndes, of counsel for the plaintiff in error,

Ordered by the Court that this cause be, and the same is hereby, passed.

34	The United States vs. The Erie Railway Co. Plff. in Error.	Ordered by the Court that this cause be, and the same is hereby, passed.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday October 14th 1881

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews — Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Philip Phillips it is ordered that H. M. Jordon, Esquire, of Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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36 Joseph S. Sheiburn
vs
Plff in Error
Wm L. Hunter et al.

On motion of Mr. M. F. Morris, of counsel for the plaintiff in error,

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

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30 The Baltimore & Ohio R. R. Co. Plff in Error
vs.
&c. H. Koontz, Admr &c.

1160 The Baltimore & Ohio R. R. Co. Plff in Error
vs
Monroe Funkhouser Admr &c.
and
The Baltimore & Ohio R. R. Co. Plff in Error
vs
Monroe Funkhouser, Admr &c.

The argument of these cases was commenced by Mr. C. J. D. Cross, of counsel for the plaintiff in error, continued by Mr. Moses Walton, of counsel for the defendants in error, and concluded by Mr. Hugh H. Shaffer, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 15th 1851

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William B. Woods — Associate Justices
Stanley Matthews — Associate Justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Philip Phillips, it is ordered that J. P. McCleary, Esquire, of San Antonio, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Bakewell, it is ordered that Jacob J. Van Riper, Esquire, of Buchanan, John C. Patterson, Esquire,

of Marshall, and Laurence C. Pope, Esquire, of St. Joseph, State of Michigan, and F. H. De Camp, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. McMurtrie, it is ordered that F. J. Hard, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. K. Smith it is ordered that H. K. Mendenhall Esquire, of Washington, D. C, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm Pinckney Whyte it is ordered that N. S. Colyer, Esquire, of Nashville, State of Tennessee, be admitted

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. George Shiras jr. it is ordered that Daniel Agnew, Esquire, of Beaver C. H., and Albert Nelson Sutton, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

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On motion first made to the Court on this behalf by Mr. F. M. Duffield, it is ordered that Nathan A. Earle, Esquire, of Grand Rapids, and George N. Hopkins, Esquire, of Detroit, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Ex parte: In the matter of William P. Hayton, Original. Petitioner

On consideration of the petition of William P. Hayton, It is hereby ordered that cause be shown by the Judge of the District Court of the United States for the

Northern District of Illinois before this Court, at Washington, in the District of Columbia, on the second Monday of December next, at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why a Writ of Prohibition should not issue restraining and prohibiting them from proceeding further or from taking jurisdiction of petitioners claim and from entering any decree except to dismiss the petition in the matter of the petition of the Goodrich Transportation Company, to limit the liability of said Company, filed in said District Court.

per Mr. Chief Justice Waite

Ex parte: In the matter of James H. Harrison
Original. Petitioner.

On consideration of the petition filed and motion for a rule to show cause why a writ of Mandamus should not issue in this cause, It is ordered that said motion be, and the same is hereby, denied. And it is further ordered that said petition be, and the

same is hereby, dismissed with costs.
Per Mr. Chief Justice Waite

Ex parte In the matter of Walter A. Gagar
Original Petitioner.

Mr. R. C. McWilliams asked and obtained leave to file petition for a writ of Prohibition and submitted motion for a rule to show cause why said writ should not issue.

Henry Clark, George H. Norris, & J. Wilcox Brown
vs. Appellants
John D. Lewis

1031

Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia and on the motion of Mr. Wm Pinckney Whyte, of counsel for the appellants, It is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Monday October 17th 1881, continued

621	Henry Clarke et al, Appellants. vs. John S. Lewis.	On motion of Mr. Thos Lincoln Whyte, of counsel for the appellants,

leave is hereby granted the Clerk to issue the Mandate in this cause.

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6 Original.	The State of New York Complainant. vs. The State of Louisiana et al.	On motion of Mr. J. A. Campbell,

leave is hereby granted to file a cross-bill in this cause and subpoenas are ordered to be issued returnable sixty days after service of the same.

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6 Original.	The State of New York Complainant. vs. The State of Louisiana et al.	Mr. J. A. Campbell filed a suggestion of the death of Louis A. Wiltz,

Governor of the State of Louisiana, one of the defendants in this cause.

458	The St. Louis Smelting & Refining Company vs. Thos Kemp & Wm Mullan and The St. Louis Smelting & Refining Company vs. Sarah Laycock	In Error	Mr. J. P. Cuppy by leave of Court filed and submitted to the consideration of the Court motion for an oral re-argument of these cases
459			

53	Edwin T. Morgan & James F. Taylor vs. Isaac Donovan	In Error	In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama and on the stipulation of counsel for the respective parties on file and motion of Mr. P. Phillips, of counsel for the defendant in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Waite

343	The City of Detroit vs. Appellant Thompson Dean et al.	On motion of Mr. H. M. Duffield and consent of Robert L. Baker Esq., It is ordered that Mr. Duffield be substituted for said Baker as counsel for the appellant in this cause.

313	Rufus Hastes vs. Plff in Error Mrs. Elizabeth C. Hays, Admrx &c.	Mr. C. H. Joyner, of counsel for the plaintiff in error, having filed in open Court a suggestion of a

diminution of the record in this cause in the words and figures following to wit:

"First, The judgment of the U.S. District Court on the intervention of E. F. Bradford, March 27, 1865, ordering him to be paid out of the proceeds of the Marshals sale $1,956.93.

Second. The receipt of E. F. Bradford's atty for said moneys to the Clerk of Court, dated March 31, 1865.

Third. The State & City Tax receipts or any one of them showing the assessment of the property in dispute at $6,000."

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Louisiana commanding them that searching the record and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found to the extent above enumerated, which was argued by Mr. Horner in support of the same and by Mr. J. A. Jonas in opposition thereto. Whereupon, It is now here ordered by this Court that a writ of Certiorari be, and the same is hereby awarded, to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the District of Louisiana commanding them that searching the record and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found, to the extent above enumerated

and return the same with the said Writ of Certiorari forthwith to this Court. And the right is hereby reserved to the counsel for the defendants in error to object on the hearing of this cause to the reception of the additional matter.

per Mr. Chief justice Waite.

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169 U. S. Howe & H. P. Dole vs. Appellants N. N. McDonald and William White	Mr. G. H. Gorman, of counsel for the appellants, suggested the death of George H. Riggs and moved the Court for a citation to Lawrason Riggs, Executor of George H. Riggs, deceased, as aforesaid. Thereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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175 Wm Libby & Jno. Fox, Survivors &c., Plffs. in Error vs. Lewis C. Hopkins et al	The motion to dismiss this cause was submitted to the consideration of the Court on

the record and printed arguments by Mr. S. M. Jordan, in support of the same, and by Mr. A. J. Perry, in opposition thereto.

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34 | Richard Jones et al., Plffs in Error vs. Henry Randolph et al. | This cause was argued by Mr. Walter D. Davidge, of counsel for the plaintiffs in error, and by Mr. John Selden, of counsel for the defendants in error

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35 | The Cumberland & Oxford Canal Corporation Plff in Error vs. The State of Maine | On motion of Mr. Randolph Coyle, in behalf of counsel, It is ordered that this cause be, and the same is hereby, continued until the next term.

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42 | Robert Forrest Plff in Error vs. Grayson M. Prevost | In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same it is considered by the Court that this cause should be dismissed at the cost of the plaintiff in error, pursuant to the 16th rule of this Court. Whereupon, it is now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed with costs, And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Monday October 17th 1881, continued

111	The Central National Bank of Baltimore U.S. The Connecticut Mutual Life Insurance Company. Appellant	The argument of this cause was commenced by Mr. A. H. Machen, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday October 18th 1881

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews — Associate Justices

John F. Nicolay Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. G. Merrick it is ordered that James J. Dick, Esquire, of Beaver Dam, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm Bakewell it is ordered that Andrew J. Sawyer and

Alexander H. Hamilton, Esquires, of Ann Arbor, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

114	The Central National Bank of Baltimore vs. The Connecticut Mutual Life Insurance Company. Appellant	The argument of this cause was continued by Mr. John Carson, of counsel for the appellee, and concluded by Mr. S. H. Blachen, of counsel for the appellant.

115	The Sandusky Seat Co. et al. vs. Theodore Comstock et al. Appellants.	The argument of this cause was commenced by Mr. S. H. Leggett, of counsel for the appellants

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Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday October 19th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. G. F. Tritlendon, it is ordered that Clinton Lowell, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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50 The Goodrich Transportation Company vs. The United States. Aff. in Error

In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and on the authority of counsel for the plaintiff in error on file and motion of Mr. Solicitor General Phillips, of counsel for the defendant in error; It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

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51 The Chicago, Danville & Vincennes R.R. Co. et al. vs. Appellants. Wm. R. Goodrich & J. D. Fish.

On motion of Mr. Fillmore Beall, in behalf of counsel, and on the stipula-

sion of counsel for the respective parties on file, It is ordered that this cause be, and the same is hereby passed until No. 173 is reached, when both causes to be argued together as one case.

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115 The Sandusky Seat Co. et al, vs. Theodore Comstock et al. Appellants. | The argument of this cause was commenced by Mr. Arthur Shaw and Mr. William Bakewell, of counsel for the appellees, and concluded by Mr. W. L. Leggett, of counsel for the appellants.

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116 Charles F. Davis vs. Edgar Speiden. Appellant. | The argument of this cause was commenced by Mr. Jos. Barnard, of counsel for the appellant, and continued by Mr. H. F. Mallingly, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday October 20th 1881

Pursuant to adjournment the Court met today at the Capitol.

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews } Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. F. Mattingly it is ordered that Warren B. Wilson Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Charles T. Davis
116 vs. Appellant
Edgar Speiden.

The argument of this cause was continued by Mr. H. F. Mattingly, of counsel for the

appellee, and concluded by Mr. Jos. Barnard of counsel for the appellant

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117 The St Louis Insurance Co. vs. The St Louis, Vandalia & Terre Haute & Indianapolis R. R. Co

Aff. in Error.

This cause was argued by Mr. John F. Chandler, of counsel for the plaintiff in error, and by Mr. John F. Williams, of counsel for the defendant in error

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18 The Town of Roberts, vs. Matthew Bolles et al.

Aff. in Error.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. J. Bell, of counsel for the plaintiff in error, and by Mr. George C. Sale, of counsel for the defendants in error.

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119 Henry T. Fort vs. George & Eliza Roush

Appellant.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. John F. Phillips, Mr. F. H.

Darley and Mr. W. J. Southard, of counsel for the appellant. No counsel appearing for the appellees.

The Columbia Oil Company vs. Appellant. Edward N. L. Roberts and Ida D. Roberts	Appeal from the Circuit Court of the United States for the Western

511

District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and on the motion of Mr. George Shiras jr. of counsel for the appellant, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

52	Emile L. Ringet al, Appellants vs. Ralph Worthington et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. J. Hait, of counsel for the appellants, and by Mr. H. J. Miller and Mr. T. J. Frost, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Friday October 21st 1881

Pursuant to adjournment the Court met today at the Capitol -

Present

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William B. Woods — Associate Justices
Stanley Matthews — Associate Justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr H. L. Dawdge, it is ordered that George T. Fisher, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. J. Lapham, it is ordered that George A. Kennedy, Esquire, of Syracuse, State of New York, be admitted to practice

as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter L. Voorhees it is ordered that Frederick Voorhees, Esquire, of Mt. Holly, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Voss, it is ordered that Robert D. Russell, Esquire, of Jacksonville, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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51 James Kelly vs. Plff. in Error
The City of Pittsburgh

The argument of this cause was commenced by Mr. James Agnew, of counsel for the plaintiff in error, continued by Mr. George Shiras jr., of counsel for the defendant in error, and concluded by Mr. A. M. Sutton, of counsel for the plaintiff in error

55

The City of Chicago
vs. Appellant
William G. Tibbetts

This cause was argued by Mr. H. D. Hilton, of counsel for the appellee, and submitted on printed argument by Mr. H. G. Hendy, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 7th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

Mr. Attorney General MacVeagh addressed the Court as follows,

May it please your Honors,

In obedience to the instructions with which I may be honored by the members of the Bar, I desire to present the resolutions adopted by them in commemoration of the loss the Court and the bar have alike sustained in the death

of Mr. justice Clifford.

judge Clifford's entire career was eminently American. He lived to hear them to appreciate the true heroism of such lives and we anticipate the familiar story before it is told. Born to honorable poverty he succeeded in securing an education mainly by his own efforts - teaching school when he was not attending it. Then came the hard dry study of the law broken also by the recurring need of teaching, and at last he stands on the threshold of the new life, well equipped for its struggles and resolute to win its prizes.

In May 1827, he was admitted to practice law by the Supreme Court of New Hampshire and in July, 1881, he died senior justice of the Supreme Court of the United States.

The long interval was filled with as varied as useful and as honorable experiences as man's heart could desire - for he was permitted to enrich by his industry, to adorn with his learning, and to honor by his integrity, each of the three great

departments of the government.
He was for several years a member and more than once Speaker of the House of Representatives of this adopted State of Maine where he won golden opinions even from his political opponents by his ability, his fairness and his courtesy. He was a member of Congress for four years and the record of its discussions attests his eminent fitness to deal with grave questions of political debate. He was Attorney General of Maine when his duties included the prosecution of all crimes against the State and he was Attorney General of the United States. He was Commissioner to negotiate a treaty of peace with Mexico and afterwards Envoy Extraordinary and Minister Plenipotentiary to that country. He had subsequently been engaged for several years in the active practice of his profession when he was called to a seat upon this bench.

It may no longer be necessary for good judges to amplify their jurisdiction but it is certainly desirable that your

Honors should not fail to recognize the
vastness and the dignity of your authority
Since men have lived together in civil
society they have committed to their fellows
no nobler functions than those committed
to this Court. To construe constitutions and
statutes, to determine weighty and far
reaching controversies, to declare the law
to thirty eight great States and to fifty
millions of intelligent freemen. No happier
fortune could therefore be wished for any
good man and good lawyer than that
which befell Mr Justice Clifford. To be per-
mitted after more than thirty years passed
in the strifes of the bar and the forum, to
share for more than twenty years with most
honorable distinction the arduous labors, the
grave responsibilities, and the lofty privileges
of this august tribunal. The end crowns
the work.

It only remains for me to ask that
the resolutions I present shall be entered
upon the minutes of the Court.

Resolutions

The members of the Bar and Officers of the Supreme Court of the United States have come together to express their profound sorrow for the death of the venerable senior justice of the Court, Nathan Clifford.

In a slight tribute to his memory they desire to place on some permanent record the expression of their admiration of his civic virtues and their appreciation of the integrity and great ability with which for near a quarter of a century he discharged the arduous duties of his high office. Therefore -

Resolved That they are duly penetrated by a sense of the calamity which they in common with the rest of the people of the United States have sustained in the death of the Honorable Nathan Clifford, and that they will ever cherish his memory which is endeared to them, no less by many personal attractions and associations, than by his eminent ability and wisdom.

Resolved That the members of the Bar and officers of the Court will wear the usual badge of mourning during the term.
Resolved: That the Attorney General be desired to present these proceedings to the Court with the request that they be entered on its minutes.
Resolved: That the same be published in the journals of the City and that a copy thereof forwarded to the family of the deceased with the respectful assurance of the sympathy of this meeting.

The Chief Justice replied as follows.

We are glad to receive from the Bar this expression of their high regard for our deceased brothers. The records of the Court contain abundant evidence of the truth of the most that has been said of him. His opinions are to be found in forty-two volumes of our reports and every one was unmistakably the result of his honest convictions and patient investigations. For many of them have received, as they deserved, marked attention; none more so

perhaps than his first, which was delivered in Goodman vs. Simonds, a case that was argued in 1858 only a few days after he took his seat on the bench. He was never disloyal to the high position he occupied, and never unmindful of the oath he had taken to "administer justice without regard to persons, and to do equal right to the rich and to the poor." From the beginning to the end of his long judicial career he was an upright, conscientious and painstaking judge. No labor was too great for him if his duty required it, and his delight was to search diligently for the right and when found declare it.

It would be difficult to overestimate his loss. He was the last of the connecting links between the long past of the Court and the present. His knowledge of what had been done, whether shown in the records or tradition, was extensive and accurate. He was always ready in consultation or elsewhere, to give his brethren the full benefit of what he knew, and nothing grieved him more than to feel that what

had once been deliberately done was to be undone. The Court and the bar have abundant reason to regret that his usefulness has become a thing of the past. He died full of years and full of honors.

I may perhaps be permitted here a word for myself. When I came to the place I now occupy he was the senior associate. For months he had presided over the deliberations of the Court with all the dignity and ability which were due to the position. We were strangers to each other. He had never seen me to know me before, but time will never efface from my memory his cordial and affectionate greeting. He was a man of kindly nature and was never consciously guilty of a wrong.

The resolutions of the bar and the remarks of the Attorney General in presenting them will be entered on our records and we will now adjourn out of respect to the memory of him that is gone.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday October 25th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief justice
Samuel F. Miller	Associate justices
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
Stanley Matthews	

John F. Nicolai Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Philip Phillips, it is ordered that F. H. Lewis Esquire, of Mobile, State of Texas, and William F. Foster, Esquire, of Montgomery, State of Alabama, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. D. Hill, it is ordered that Robertson Howard Esquire, of Baltimore,

State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson, it is ordered that E. H. Foote, Esquire, of Helena, Montana Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. N. Bales, it is ordered that Richard S. Duthill, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. F. Merrick, it is ordered that John C. Robinson, Esquire, of Deer Lodge, and William H. Dixon, Esquire, of Butte, Montana Territory, be admitted to practice as attorneys and counsellors of this Court and they were sworn ac-

cordingly.

On motion first made to the Court in this behalf by Mr. James Lowndes it is ordered that J. Kennedy Bryan, Esquire, of Charleston, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Lehigh Valley Railroad Co. and Asa Packer, President of said Co. Appellants.
vs.
Edward Allen & Wm. Wallace

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

21

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed, by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, reversed

with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with instructions to dismiss the bill.

per Mr. Justice Woods.

Elijah Smith, Receiver of The Burlington & Southwestern Railway Company, Appellant. vs. Warren McCullough et al.

Appeal from the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

20

David C. Shanks, Executor of Joseph N. Johnston, deceased,

vs.

John A. Klein and Elizabeth D. Klein, his wife, Mary Amelia J. N. Kellogg, and his wife Frederika Kellogg, as Executrix of Fritz Ackerman, deceased, Virginia Thomas and Nathaniel H. Thomas, Anna F. Thomas, Rosa C. Thomas & Lillie N. Thomas, Alexander Kuhn, J. C. Blum, Isador Brown, The Mayor & Aldermen of the City of Vicksburg, James Dotto & Catharine Dotto, Antoine Sleike & Rachel Sleike, his wife, & Kate Smith & John Smith, & George Smith & Susan Smith and their next friend & guardian Henry D. Bruser.

Appellant.

Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller.

13	David C. Price vs. James E. Kelly.	Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs

per Mr. Chief Justice Waite.

Thursday October 25th 1881, continued

18	Samuel Strong vs. Charles F. Tilley Appellant	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

19	Samuel Strong vs. Charles F. Tilley Appellant	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered,

adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

48	The Town of Roberts vs Pltf. in Error Matthew Bolles and M. Shepard Bolles, partners, &c.	In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Waite.

175	Wm Libby & George Fox survivors &c., vs. Plff's in Error. Lewis C. Hopkins et al.	On consideration of the motion to dismiss this cause, It is now here ordered that said motion be, and the same is hereby, denied. per Mr. Chief Justice Waite.

458	The St. Louis Smelting & Refining Company vs. Plff's in Error. Thos. Kemper & Wm Nuttall and.	On consideration of the motion for an oral re-argument of these cases, It is ordered that said motion be, and the same is hereby, granted and the cases are
459	The St. Louis Smelting & Refining Company vs. Plff's in Error Sarah Ray et al.	

assigned for re-argument as one case at the foot of the day calendar for the second Monday in January next.
per Mr. Chief Justice Waite.

879	The United States vs Plaintiff Jack McBratney	Mr. Solicitor General Phillips filed and submitted to the consideration of the Court, motion to advance.

900	The United States vs. Appellant. The Real Estate Savings Bank of Pittsburgh and	Mr. Solicitor General Phillips filed and submitted to the consideration of the Court, motion to advance these cases
901	The United States vs. Appellant John Barnett et al.	

1072	The United States vs. Appellant The First National Bank of Newton	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and on the motion of Mr. Solicitor General Phillips, of counsel for the appellant. It is now here ordered and adjudged

by this Court that this appeal be, and the same is hereby, dismissed.

per Mr Chief justice Waite

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66 | Benjamin N. Wilcox et al. vs. The First National Bank of Montgomery. | Appellants. | On motion of Mr. Phillips, of counsel for the appellants,

ordered that this cause be, and the same is hereby, passed subject to provisions of section 7, rule 26.

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712 | The Knickerbocker Life Insurance Co. of Newport City, vs. Bartholomew Foley. | Plff in Error | Mr. James Lowndes, of counsel for the plaintiff in error, having

filed in open Court a suggestion of a diminution of the record in this cause in the words and figures following to wit,

"The application for Insurance on the life of N. A. Badiney."

By reason of which omission and error aforesaid the said counsel now here

round the Court to award a Writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the District of South Carolina, commanding them that searching the record and proceedings of said Court in this cause they shall certify to this Court under the seal of said Circuit Court whatever omissions and error shall be found to the incident above enumerated, which was argued by Mr. Lowndes in support thereof — On consideration whereof, It is now here ordered by this Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Waite.

1111 Wm. K. Archer et al., appellants vs. James Brady, Admr &c.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. Alfred Russell in support of the same, and by Mr. J. D. Maynard & Mr. N. W. Swan, in opposition thereto.

12	The Banking House of Bartholow, Lewis & Co. vs. The Trustees of Schools of Township No. 8, R. 8 E. Randolph County. Plaintiff	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. J. S. Stevenson, of counsel for the plaintiff. No counsel appearing for the defendants

60	The County Court of Clark County, vs. Plff in Error The United States ex rel: Wm. A Johnston.	Ordered by the Court that this cause be, and the same is hereby passed until No. 626 is reached in regular call.

56	Frances M. Barton vs. Plff. in Error. John S. Barbour, Exec'r &c.	The argument of this cause was commenced by Mr. S. S. Henkle, of counsel for the plaintiff in error.

Proclamation being made the Court is ad-

Wednesday October 26th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William A. Woods
Stanley Matthews
} Associate Justices

John C. Nicolay Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. A. H. Garland, it is ordered that James H. Slater, Esquire, of Lagrande, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. W. Voorhees, it is ordered that Nathaniel N. Stewart, Esquire, of Kalamazoo, State of Michigan, be admit-

ded to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court on this behalf for Mr. Angus Cameron, it is ordered that William Gale, Esquire, of Winona, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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198 The Goodrich Transportation Co. vs. The First Presbyterian Society of Green Bay et al.

Pff. in Error

On motion of Mr. Angus Cameron, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the Mandate in this cause.

1072 The United States vs. The First National Bank of Newton.

Appellant.

On motion of Mr. R. R. Bishop, leave is hereby granted the Clerk to issue the Mandate in

this cause.

173	Frederick Victor et al. vs. Pltff in Error vs. C. A. Arthur, Collector &c.	The petition for a re-hearing of this cause, leave to file which was granted at the last term of the Court, was submitted to the consideration of the Court by Mr Solicitor General Phillips, of counsel for the defendant in error. Mr. S. M. Kellogg, by leave of Court, submitted printed argument in support of said petition.

56	Frances N. Barlow vs. Pltff in Error John S. Barbour, Recr &c.	The argument of this cause was concluded by Mr. Linden Kent, of counsel for the defendant in error.

57	Caroline Klein vs. Appellant The New York Life Insurance Co.	This cause was argued by Mr. F. N. Kales, of counsel for the appellee, and submitted on printed argument by Mr. Hiram Barber jr. of counsel for the appellant

58	D. E. Driesbach vs. Aff. in Error. The Second National Bank of Wilkesbarre and J. D. Stark vs. Aff. in Error The Second National Bank of Wilkesbarre	These cases were argued by Mr. J. C. Parker, of counsel for the plaintiff in error and by Mr. Wm. N. Armstrong, of counsel for the defendant in error

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61	N. Blennerhassett et al. vs. Appellants. Hoyt Sherman, Assignee &c.	On motion of Mr. A. P. Hyde, of counsel for the appellants,

leave is hereby granted to three counsel to argue this cause for the appellants and four hours additional time is allowed counsel on each side in the argument.

61	N. Blennerhassett et al, vs. Appellants. Hoyt Sherman, Assignee &c.	The argument of this cause was commenced by Mr. Coles Morris & continued

by Mr. C. C. Nourse, of counsel for the appellants.

Proclamation being made the Court is ad-

Thursday October 27th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William B. Woods — Associate Justices
Stanley Matthews — Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Morgan it is ordered that David Clopton Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr S. S. Henkle, it is ordered that Sebastian Brown, Esquire, of Baltimore, State of Maryland, be admitted to practice

as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. C. C. Jones, it is ordered that Frank Springer, Esquire, of Cimarron, New Mexico Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Augustus Schell late Coll'r of the Port of New York 114 vs. Plff. in Error H. S. Thilson & H. Brown	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the

same is hereby, dismissed with costs
per Mr. Chief Justice Waite.

Hiram Barney late Collr of the Port of New York.
vs.
James Isler, Baptist Isler, Augustus Isler, Charles Isler, and John Isler.

122 Error in Circr

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs
per Mr. Chief Justice Waite

193

Hiram Barney late Collr of the Port of New York
vs Plff in Error
N. Ackerman & D. Hendt

In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

1241

Hiram Barney late Collr of the Port of New York
vs Plff in Error
C. J. Vanblenkenstyn & Hirsh Heineman.

In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Miram Barney late Coll[r] of the Port of New York, Plff in Error.
vs.
N. Taylor, William Hardt and N. Lindens.

In Error to the Circuit Court of the United States for the Southern District of New York.

125

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that

the writ of error in this cause be, and the same is hereby dismissed with costs

per Mr. Chief Justice Waite.

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126 Hiram Barney, late Coll[r] of the Port of New York
vs. Fifty in Error
Adolph S. Amson and Louis Amson.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

117	Hiram Barney late Coll'r of the Port of New York, Plff in Error vs. Ernest Dredt.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

118	Hiram Barney late Coll'r of the Port of New York, Plff in Error vs. Henry Lyse, Thomas N. Lyse, Charles Lyse & John Reynolds, partners as Lyse & Sons.	In Error to the Circuit Court of the United States for the Southern District

of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	Hiram Barney late Collr of the Port of New York, Plff. in Error.	In Error to the Circuit Court of the United States for the Southern District
179	vs	
	Louis Heidenheimer, Sigismund Hegerheimer & Adolph Mack.	

of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of Counsel for the plaintiff in error, It is now here ordered and adjudged in this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Taney.

130	Hiram Ramey late Collr of the Port of New York, Plff in Error. vs. Isachar S. Hughes & Abraham Exchange, surviving partners of Hughes, Keyser & Exchange.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

131	Miram Barney late Coll^r of the Port of New York, Plff in Error. vs. Louis Rosenfeld, Sigfalick Rosenfeld & Isaac Rosenfeld.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

132	Miram Barney late Coll^r of the Port of New York Plff in Error. vs. D. Andreae & Otto Andreae	In Error to the Circuit Court of the United States for the South

Thursday October 27th 1831, continued

...rn District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

for Mr. Chief justice Taney.

Hiram Barney late Collr of the Port of New York, Plff in Error
133 vs.
James Dinsmore.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr Solicitor General Phillips, of counsel for

the plaintiff in error. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney.

Hiram Barney late Collr of the Port of New York vs. Pltf. in Error. John N. Cox successor to and surviving partner of Victor Barsalou	In Error to the Circuit Court of the United States for the Southern District of New York

134

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney.

135 Miram Barney, late Collr of the Port of New York, Plff in Error. vs. Charles Lierson & Seargent Lake, surviving partners of Wendell, Lierson & Lake. | In Error to the Circuit Court of the United States for the Southern Dist of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern Dist of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

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136 Miram Barney, late Collr of the Port of New York, Plff in Error. vs. Arnold Friedman, surviving partner of Straßheim & Co. | In Error to the Circuit Court of the United States for the Southern District of New York.

Thursday October 27th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs for Mr. Chief Justice Waite.

137

Hiram Barnard & Co. of the Port of New York, Plffs. in Error, vs. William Chamberlain, William L. Chamberlain, George F. Phelps & George F. Phelps jr.	In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor-General, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the

writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

155	Hiram Barney, late Collr of the Port of New York, Plff in Error vs. Thomas R. Dale, George Richmond, John N. Harris and Jos. H. Brown	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs,

Per Mr. Chief Justice Waite.

248	Augustus Schell late Coll[r] of the Port of New York. vs William J. Hoffman, Sigmund Hoffman and Henry Allen.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr Chief justice Taney

256	The City of Galveston vs. Dexter S. Hitchcock & James H. Byrnes, composing the firm of D.S. Hitchcock & Co.	In Error to the Circuit Court of the United States for the Southern District of New York.

Thursday October 24th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and on the stipulation of counsel on file and motion of Mr. S. S. Fowler, of counsel for the defendants in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Dexter D. Hitchcock and James H. Bymes, composing the firm of Dexter D. Hitchcock & Company.

vs.

The Galveston Wharf Company, garnishee.

In Error to the Circuit Court of the United States for the Eastern District of Texas.

363

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and on the stipulation of counsel on file and motion of Mr. S. S.

Henkle, of counsel for the plaintiffs in error. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr Chief Justice Waite.

The City of Galveston vs Dexter S. Hitchcock & James H. Symes, comprising the firm of D. S. Hitchcock & Company.	In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and on the stipulation of counsel on file and motion of Mr. S. S. Henkle, of counsel for the defendants in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Thursday October 27th 1881, continued

61	N. Shumway et al., Appellants. vs. Hoyt Sherman, Assignee &c.	The argument of this cause was continued by Wm. C. Howe of counsel for the appellants, and by Wm. N. Dillon, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Friday October 28th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief justice

Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

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61 N. Hammahassett et al, Appellants. vs. Boyt Sherman, Assignee &c.

The argument of this cause was continued by Mr. L. N. Bisbee and Mr. J. S. Peck, of counsel for the appellee, and concluded by Mr. H. J. Hyde, of counsel for the appellants.

62	John M. Glover, Assignee &c., vs. John C. & Irene N. Love.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. Hallett Phillips, of counsel for the appellant, and by Mr. J. E. McKeighan, of counsel for the appellees.

63	Wm. J. Porter et al., vs. Plffs. in Error. Jennie L. Graves, Admx &c.	The argument of this cause was commenced by Mr. N. J. Scudder, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 31st 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices.

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. T. Douglass, it is ordered that John N. Bissell, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Porter Morse, it is ordered that F. L. Hall, Esquire,

of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger, it is ordered that George L. Douglass, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

11	John H. Marlin, Plff in Error, vs. Luther H. Cole.	In Error to the Supreme Court of the Territory of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court,

in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the Supreme Court of the State of Colorado.

per Mr. Justice Matthews.

Emily A. King, Eric S. King, and Emily A. King, guardian of Lelie S. King, Appellants.
vs.
Ralph Northington, John S. Avery, Wm. M. Hoyt et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

52

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs,

per Mr. Justice Woods.

Monday October 31st 1881, continued

55 The City of Chicago, 1881. Appellant. William W. Gerbells. | Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Illinois.

per Mr. Justice Bradley

25 The United States
vs. Plff in Error
George H. Jackson, Edward
J. Underwood, John Dan x
Hurst, William S. Duncan,
John Underwood and
Lewis McKenzie.

In Error to
the Circuit
Court of the
United States
for the East-
ern District
of Virginia.

This cause came on to be heard on the
transcript of the record from the Circuit
Court of the United States for the Eastern
District of Virginia, and was argued by
counsel. On consideration whereof, It
is now here ordered and adjudged by this
Court, that the judgment of the said
Circuit Court, in this cause be, and the
same is hereby affirmed.

per Mr. Justice Miller.

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30 The Baltimore & Ohio
Railroad Company
vs. Plff in Error
George H. Kouty, Admin-
istrator of William S.
Knightman, deceased.

In Error to the
Supreme Court
of Appeals of the
State of Virginia.

Monday October 31st 1881 continued

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals with directions to reverse the judgment of the Circuit Court of Shenandoah County and transmit the case to that Court with instructions to vacate all orders and judgments made or entered in said cause subsequent to the filing of the petition for removal and approval of the accompanying bond and proceed no further therein unless its jurisdiction be restored by the action of the Circuit Court of the United States or this Court.

per Mr Chief-justice Waite.

460

The Baltimore & Ohio Railroad Company vs Plff. in Error.
Monroe Funkhouser, Administrator of Charles L. Tock, deceased.

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel - On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause, &c, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals with directions to reverse the judgment of the Circuit Court of Shenandoah County and transmit the case to that Court with instructions to vacate all orders and judgments made or entered in said cause subsequent to the filing of the petition for removal and approval

of the accompanying bond and proceed no further therein unless its jurisdiction be restored by the action of the Circuit Court of the United States or this Court.

per Mr. Chief Justice Waite.

The Baltimore & Ohio Railroad Company vs. Monroe Sankhouser, Administrator of Reuben C. Hammon, deceased.	In Error to the Supreme Court of Appeals of the State of Virginia.

765 This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court

of Appeals with directions to reverse the judgment of the Circuit Court of Shenandoah County and transmit the case to that Court with instructions to vacate all orders and judgments made or entered in said cause subsequent to the filing of the petition for removal and approval of the accompanying bond and proceed no further therein unless its jurisdiction be restored by the action of the Circuit Court of the United States or this Court.

Per Mr. Chief Justice Waite.

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12 The Banking House of Barthalow, Lewis & Co. vs. The Trustees of Schools of Township No. 4 S., R. 8 W. Randolph County.

On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Cir-

cuit Court of the United States for the Southern District of Illinois, and on the points or questions on which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion, and was argued by counsel - On consideration whereof, It appearing to the Court that this cause should have been brought into this Court by writ of error agreeably to the act of Congress in such case made and provided, and no such writ appearing, It is now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

1111 | Wm. K. Parker et al. vs. James Cuddy, Admr &c. | Appellants. | On consideration of the motion to dismiss this

cause and of the argument of counsel thereupon had as well in support of as against the same, It is now here

ordered by the Court that said motion be, and the same is hereby, denied,
per Mr. Chief justice Waite.

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900 The United States, Appellant
vs.
The Real Estate Savings Bank of Pittsburgh
And
901 The United States, Appellant
vs.
John Barnett et al

On consideration of the motion to advance these cases, It is ordered that said motion be, and the same is hereby granted and the cases are assigned for argument at the foot of the day calendar for the second Monday of January next after Nos. 455 and 456.
per Mr. Chief justice Waite.

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879 The United States Plaintiff
vs.
Jacob W. Bratney

On consideration of the motion to advance this cause, It is ordered that said motion be, and the same is hereby, granted and the cause

is assigned for argument next after No. 961 which has been assigned for argument on the second Monday of January next

per Mr. Chief Justice Waite

Ex parte: In the matter of Walter H. Sagar, Petitioner.

Original

On consideration of the petition of Walter H. Sagar, It is ordered that cause be shown by the Judge of the District Court of the United States for the District of Delaware before this Court, at Washington, in the District of Columbia, on the second Monday of December next at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why a Writ of Prohibition should not issue restraining and prohibiting him from proceeding further and from entering any decree except to dismiss the libel in the case of Peter Chambers, Libellant, vs. The British Ship "William Law" &c., Wilson R. Hilton, Master and

part owner.

for Mr. Chief Justice Waite

Ex parte, In the matter of Wm. H. Wooley and Willis S. Webb

3 Original — Petitioners

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. P. Phillips, Mr. J. E. McDonald and Mr. John M. Butler, in support of the petition, and by Mr. Samuel Shellabarger and Mr. J. M. Wilson, in opposition thereto.

U. S. & N. J. Winslow,

243 vs. Appellants.

Bliss C. Wilcox.

Mr. A. G. Riddle of counsel for the appellants, suggested a diminution of the record in this cause and moved the Court to award a Writ of Certiorari. Thereupon the Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

113	Frederick Lister et al, of C. S. 1880. vs. Appt in Error. C. N. Arthur, Collector &c.	On motion of Mr. John L. Hayes, leave is hereby granted him to file briefs in support of the petition for a re-hearing in this cause on or before Nov. 14th

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165	L. M. Lincoln, U. S. Crouse et al, vs. Plffs in Error. Wm. H. French.	Mr. Fillmore Beall, in behalf of counsel for the defendant in error, filed and submitted to the consideration of the Court motion to dismiss this cause as to U. S. Crouse.

146	James F. Loudon vs. Appellant. The City of Memphis.	Mr. Fillmore Beall of counsel for the appellant, filed and submitted to the consideration of the Court, motion to substitute The Taxing District of Shelby County, for the City of Memphis as the appellee in this cause.

Monday October 31st 1881, continued

63	William S. Porter et al, vs. Plffs in Error. Jennie L. Graves, Admix &c.	The argument of this cause was continued by Mr. Francis Kernan, of counsel for the defendant in error, and concluded by Mr. N. J. Scudder, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday November 1st 1881

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews — Associate Justices.

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

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64 Erwin Davis et al. vs. Wells, Fargo & Company. In Error

This cause was argued by Mr. J. M. Woolworth, of counsel for the plaintiffs in error, and by Mr. Samuel Shellabarger, of counsel for the defendants in error.

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65 Nathaniel C. Draper vs. Henry S. Davis et al. Appellant.

This cause was argued by Mr. John Selden and

Tuesday November 1st 1881, continued

Mr. Leigh Robinson of counsel for the appellees and submitted on printed argument by Mr. Wm. A. Maury of counsel for the appellant.

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67 | Ruth Eliza Thompson vs. The Knickerbocker Life Insurance Company. | In Error. | This cause was argued by Mr. J. A. Ashton of counsel for the plaintiff in error, and by Mr. F. Murphy of counsel for the defendant in error.

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68 | Ferdinand Meloat et al, vs. William S. Williams. | Appellants. | The argument of this cause was commenced by Mr. C. S. Bundy of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday November 2nd 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews } Associate Justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James C. Field, it is ordered that Robert S. Green, Esquire, of Elizabeth, State of New Jersey be admitted to practice as an attorney and counsellor of this Court and he was soon accordingly.

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6 George Hearst
vs. Appellant.
James D. Halligan, Admr &c.

On motion of Mr. Fillmore Teall, in behalf of counsel for the appellant, leave is hereby granted counsel for the appellant to file an additional brief within ten days from this date.

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297 The German Savings Bank in the City of New York,
vs. Plff. in Error.
Joseph Arenbold, Collector &c.

Mr. Solicitor General, filed copies of counsel for the defendant in error, filed and submitted to the consideration of the Court, motion to advance this cause.

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390 The Cook County National Bank & N. H. Bailey, Receiver,
vs. Appellant.
The United States

Mr. Solicitor General, filed copies of counsel for the defendant in error, filed and submitted to the consideration of the Court, motion to advance

this cause.

1075	The United States vs. Appellant Richard H. Tyler.	Mr. Solicitor General Phillips, of counsel for the appellant, filed and submitted to the consideration of the Court, motion to advance this cause.

68	Ferdinand Miltenberger et al vs. Appellants. William S. Williams.	On motion of Mr James S. Reed, of counsel for the appellee, leave is hereby granted him to file brief in this cause.

68	Ferdinand Miltenberger et al. vs. Appellants. William S. Williams.	The argument of this cause was concluded by Mr H. H. Dougherty, of counsel for the appellants, and was submitted on printed argument by Mr. James S. Reed, of counsel for the appellees.

Wednesday November 2nd 1881, continued

69 John C. Delk vs. Hpn. in Error. Henry Meagher et al.	The argument of this cause was commenced by Mr. Samuel Shellabarger, of counsel for the plaintiff in error, continued by Mr J. C. Robinson, and Mr. R. T. Merrick, of counsel for the defendants in error, and concluded by Mr. E. H. Doole, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Thursday November 3rd 1881

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite — Chief-justice
Samuel F. Miller — Associate justices
Joseph P. Bradley — Associate justices
John M. Harlan — Associate justices
William B. Woods — Associate justices
Stanley Matthews — Associate justices

John C. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert S. Green, it is ordered that Edward A. Lay, Esquire, of Elizabeth, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. B. Hornblower, it is ordered that Henry Heath, Esquire, of Brooklyn, State of New York, be admitted

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. H. Boutell, it is ordered that Edwin F. Bayley and George H. Leonard, Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

70	Edward S. Lawrence vs. Plff. in Error. Charles Dorm.	Ordered by the Court that this cause be, and the same is hereby,

passed.

71	Elisha T. Loring vs. Plff. in Error. William B. True.	Mr. J. H. Bissell, of counsel for the defendant in error, suggested the death of William B. True, the defendant in error in this cause, and moved the Court for leave to enter the appearance of Helen L. True, Executrix of William B. True, deceased,

as the dependant in error in this cause—
Whereupon, It is ordered that said Helen
L. Irwin, Executrix of the said William D.
Irwin, deceased, as aforesaid, be, and she is
hereby entered and made the party depend-
ant in error in this cause.

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71 Elisha F. Loring
vs Pff. in Error.
Helen L. Irwin, Executrix
of Wm D. Irwin, dec'd.

The argument of
this cause was
commenced by
Mr. W. T. Tucker,
of counsel for the
plaintiff in error, continued by Mr. S.
H. Douglass and Mr. John N. Bissell, of
counsel for the dependant in error, and
concluded by Mr. George F. Edmunds, of
counsel for the plaintiff in error.

Proclamation being made the Court is ad-
journed until to-morrow at ten o'clock.

Friday November 4th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present -

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

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72 Davis Executrix, vs. Appl. in Error. Ferdinand Dangd.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Millmore Beall, of counsel for the plaintiffs in error, and by Mr. George Hinsdie, of counsel for the defendant in error.

73	The West Virginia Transportation Co. vs. The Producers Pipe Line Company.	In Error to the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia and on the motion of Mr. C. C. Cole, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

74	The Steamship "Old Dominion" &c. vs. Amos P. Crockett et al	Appellants. Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Edmund Rice and Horace Thompson, impleaded with John S. Kennedy, Trustee and Garnishee of the First Division of the St. Paul & Pacific Railroad Company.
vs. } In Error to the
William Welsh. } Circuit Court of the United States for the District of Minnesota

75

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and on the authorities & counsel for the plaintiffs in error on file. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

76	William C. Conner et al. Executors &c. vs. Hyps. in Error. William A. Long, Assignee, &c.	This cause was argued by Mr. Robert J. Green, of counsel for the plaintiffs in error, and by Mr. W.B. Hornblower and Mr. D.A. Chamberlain, of counsel for the defendant in error.

77	Henry F. Hom et al. vs. Hyps. in Error. The Phoenix Mutual Life Insurance Co.	This cause was argued by Mr. K. N. Bartlett, of counsel for the defendant in error, and submitted on printed argument by Mr. R. G. Ingersoll, of counsel for the plaintiffs in error.

78	The Mahoney Mining Co. vs. Hyps. in Error. The Anglo-California Bank.	The argument of this cause was commenced by Mr. J. Hubley Ashton, of counsel for the plaintiffs in error, and continued by Mr. Samuel Shellabarger, of counsel for the defendant in error.

Proclamation being made the Court is adjourned

Monday November 5th 1877

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Associate Justices

John F. Nicolas Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. A. G. Keasbey, it is ordered that Joseph Coult, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Case, it is ordered that John Morris and H. H.

H. Withers, Esquire, of Fort Wayne, State of Indiana, be admitted to practice as Attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court on this behalf by Mr. L. D. Morris, it is ordered that Edward Bacon, Esquire, of Chicago, and J. A. Hamilton, Esquire, of St. Joseph, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Central National Bank of Baltimore, U.S. Appellant. vs. The Connecticut Mutual Life Insurance Company.	Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is

now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Maryland.

per Mr. Justice Matthews.

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57 | Caroline Klein vs. The New York Life Insurance Co. | Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed

with costs

for Mr. Justice Woods

51 James Kelly, Plff in Error vs. The City of Pittsburgh | In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

for Mr. Justice Miller

46 Charles J. Davis, Appellant vs. Edgar Speiden. | Appeal from the Supreme Court of the District of Columbia.

Monday November 7th 1881, continued

transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be and the same is hereby remanded to the said Supreme Court with instructions to affirm the decree of the special term and proceed accordingly.

per Mr. Chief Justice Waite.

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49 | Henry D. Fort Vs. Appellant. Serge Koush and Elizar Koush. | Appeal from the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered,

that the personal decree of the said Supreme Court, in this cause, against Henry L. Fort, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to take an account of the amount due Fort on this original decree and apply the amount which has been ascertained to be due from him for rents, profits and damages towards the satisfaction thereof rendering a personal decree against him only for any balance of the ascertained rents that may remain after the mortgage debt and costs in the original suit for foreclosure have been actually satisfied.

per Mr. Chief Justice Waite.

55	J. G. Driesbach, Plff. in Error. vs. The Second National Bank of Wilkesbarre.	In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Chief Justice Waite.

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59 J. D. Stark, vs. Pfeffer in Error. The Second National Bank of Titusville Pa. | In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania,

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Chief Justice Waite.

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62 John M. Hoover, Assignee of John E. Love vs. John E. Love & Irene N. Love. Appellant.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed

by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Waite.

The Sandusky Seat Co., John E. Ulmer and W. T. Hubbell vs. Theodore Comstock, Ezra Booth & Henry T. Booth	Appeal from the Circuit Court of the United States for the Northern District of Ohio.

15

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same

rate per annum that decrees bear in the Courts of the State of Ohio.

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197 The German Saving's Bank in the City of New York. vs. Appellant in Error. Joseph Archbold, Collector, &c.

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340 The Cook County National Bank, vs. Appellant. The United States

and

1075 The United States vs. Appellant Richard H. Tyler.

On consideration of the motions to advance these cases, It is ordered that said motions be, and the same are hereby granted, and the cases are assigned in the order of their numbers next after No. 879, assigned for argument at foot of the day calendar for the second Monday in January next.

Per Mr. Chief Justice Waite.

Joseph H. Jenkins and Robert H. Zender, partners as Joseph H. Jenkins & Co.	On motion of Mr. S. F. Phillips, leave is hereby granted to withdraw the transcript of record in this
9/10 of C. D. 1881 vs. Appellants	
Peter K. Davis and Thomas W. Davis, Jr.	

cause upon giving a receipt to the Clerk therefor.

Ex parte: In the matter of Samuel Lloyd Heard and The Circle Cemetery Association	Mr. J. Holdsworth Gordon asked and obtained leave to file petition for a Writ of
10 Original — Petitioners.	

Mandamus and submitted to the consideration of the Court, motion for a rule to show cause why said writ should not issue.

Marlin Ireland, James J. Borders and William R. Burch, County Commissioners of Randolph County, Illinois, & R. J. Harmer, County Clerk,

1133 In S. Affs. in Error.
The United States ex rel:
The Society for Savings.

Mr. H. N. McKinney, of counsel for the defendant in error, having filed in open Court, certified copies of the order allowing appeal, appeal bond and the following certificate to wit:

"United States of America
Southern District of Illinois } ss.
In the Circuit Court.

I, John R. Jones, Clerk of the said Circuit Court of the United States within and for the Southern District of Illinois, do hereby certify that in a certain cause wherein the United States on the relation of Society for Savings are plaintiffs, and Marlin Ireland, James J. Borders, and William R. Burch, County Commissioners of Randolph County, Illinois, and R. J. Harmer,

County Clerk of said County are dipendants, judgment was rendered in said Court on the 15th day of August, A. D. 1881, in favor of Relator, and that on the 27th day of September A. D. 1881, a writ of error was allowed said dipendants to the Supreme Court of the United States and that in pursuance of said order of appeal, dependants filed in my said office their bond.

And I, J. N. Jones, Clerk as aforesaid, do hereby further certify that the foregoing is a true and correct copy of the order allowing appeal and appeal bond as the same appear of record and file in my said office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, at my office, in the City of Springfield, in said District, this First day of November in the year of our Lord One thousand eight hundred and eighty-one and of our Indipendence

(Seal)

the One Hundred and
sixth year.

Clerk"

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, moved the Court in pursuance of the ninth rule, to have this writ of error docketed and dismissed. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Southern District of Illinois be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

1153	Martin Ireland, et al, County Commissioners. vs Plffs in Error. The U. S. ex rel. The Society for Savings	On motion of Mr. H. A. McKenney, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the Mandate in this cause.

154	Anna Newell vs Plff in Error. John L. Bates et al.	Mr. H. A. McKenney in behalf of counsel for the defendants in error, filed and submitted to the consideration of the Court, motion to dismiss this cause for failure to make parties pursuant to the 15th Rule of this Court.

765	L. M. Lincoln, H. H. Crouse et al, vs Plffs in Error. Ira J. French.	Mr. J. A. McKenney of counsel for the plaintiffs in error, moved the Court for leave to enter the appearance of Livingston Crouse and Isaac Crouse

heirs at law of H. H. Crouse, deceased, as parties plaintiffs in error in this cause in place of said H. H. Crouse, deceased, which was opposed by Mr. Fillmore Beall in behalf of counsel for the defendant in error. Thereupon, It is now here ordered by the Court that Livingston Crouse and Isaac Crouse heirs at law of H. H. Crouse, deceased, as aforesaid, be, and they are hereby, made parties plaintiffs in error in this cause with liberty to prosecute this writ of error.

The Mahoney Mining Co. pltff. in Error.
vs
The Anglo-California Bank (Limited) deft. in Error.

The argument of this cause was continued by Mr. Samuel Shellabarger and Mr. Theodore Sutro, of counsel for the defendant in error, and concluded by Mr. J. N. Ashton, of counsel for the plaintiff in error.

79	Calvin N. Hale et al., vs. Mfrs. in Error. Duncan B. Finch.	The argument of this cause was commenced by Mr. C. A. Lapham, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday November 8th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices.

John G. Nicolay Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

77 Calvin N. Hall et al, Plffs in Error vs. Duncan B. Finch.

The argument of this cause was concluded by Mr. E. J. Lapham, of counsel for the defendant in error, and the cause was submitted on printed argument by Mr. J. H. Whitehall, of counsel for the plaintiffs in error.

Tuesday November 8th 1881, continued

80	The Flagstaff Silver Mining Co of Utah et al, vs. George Collins.	This cause was argued by Mr. Walter H. Smith, of counsel for the plaintiffs in error, and by Mr. Samuel Shellabarger, of counsel for the defendant in error

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81	French, Hanna & Co. vs. Jonathan K. Fagan et al	The argument of these cases was commenced by Mr. John Morris, of counsel for the appellants in No. 81, and continued by
91	James S. Spears et al, vs. Jonathan K. Fagan et al	

Mr. Ralph Hill, of counsel for the appellants in No. 91, and by Mr. S. Claypool, of counsel for the appellees in both cases.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday November 9th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate justices.

John F. Nicolay Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf for Mr. P. D. Hussey, it is ordered that John M. Thacher, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday November 9th 1859, continued

81	French, Hanna & Co. vs. Jonathan K. Jayne et al. and James S. Sparks et al, vs. Jonathan K. Jayne et al.	Appellants. Appellants.	The argument of these cases was continued by Mr. S. Claypool, of counsel for the appellees in both cases, by Mr. John Morris, of counsel for the appellants in No. 81, by Mr. R. S. Taylor, of counsel for the appellees in both cases, and concluded by Mr. Samuel Shellabarger, of counsel for the appellants in No. 91.
91			

83	James M. Wood vs. Joseph H. Heimar.	Plff in Error.	The argument of this cause was commenced by Mr. L. D. Norris, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday November 10th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present -

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William B. Woods — Associate Justices
Stanley Matthews — Associate Justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this term by Mr. Philip Phillips, it is ordered that C. S. Williams Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

272

Leonard Tottingham Appellant. vs. The Travelers Insurance Company of Hartford, Ct.	Appeal from the Circuit Court of the United States for the

Thursday November 16th 1854, continued

Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the stipulation of counsel on file and motion of Mr. W. H. Fuller, of counsel for the appellant, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Taney.

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53 James M. Ford vs. Plff in Error. Joseph H. Reimar.

The argument of this cause was continued by Mr. L. D. Norris, of counsel for the plaintiff in error, and by Mr. Edward Bacon, of counsel for the defendant in error, and concluded by Mr. L. D. Norris, of counsel for the plaintiff in error

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81	Gideon Dandy, vs Appellant David Kiantzetal.	Ordered by the Court that this cause be, and the same is hereby, passed.

85	The Knickerbocker Life Insurance Company, vs Plff. in Error Christina Dietz	The argument of this cause was commenced by Mr. A. Q. Keasbey, of counsel for the plaintiff in error, and continued by Mr. Joseph Coult, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday November 11th 1881

Pursuant to adjournment the Court met to day at the Capitol

Present—

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. F. K. Brown, it is ordered that C. C. Chamberlain Esquire, of Muskegon, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. C. Clayton, it is ordered that John D. Staples, Esquire, of New York City, be admitted to practice as an

attorney and counsellor of this Court and he was sworn accordingly.

	The South Park Commissioners	On motion
96	vs. Appellants.	of Mr. H. C.
	William P. Kerr	Sandy, of
	Charles N. Atkins et al	counsel for
158	vs. Appellants.	Wm P. Kerr-
	William P. Kerr	It is ordered
	and	that four
	William P. Kerr,	hours addi-
172	vs Appellants.	tional time
	The South Park Commissioners.	be allowed
		counsel in

the argument of these cases.

	Maggie R. Flagg and	Mr. John F. Mor-
	William F. Flagg,	gan, of counsel
	vs. Appellants.	for the appellee,
	Samuel Walker	presented a cer-

tificate from the Clerk of the Circuit Court of the United States for the Southern District of Illinois and moved to docket and dismiss this cause pursuant to the 6th rule which was

opposed by Mr. William N. McKenney on behalf of counsel for the appellants. Whereupon, It is ordered by the Court that two weeks additional time be allowed appellants within which to file the record and docket this cause.

15	The Knickerbocker Life Insurance Co. vs. Appeal from Error Christina Duff.	The argument of this cause was continued by Mr. Joseph Court, of counsel for the defendant in error, and concluded by Mr. N. L. Keasbey, of counsel for the plaintiff in error.

16	Samuel Bennett vs. Appellant. The Mahoney Mining Company.	Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and the appellant having sub-

three times solemnly called by the Marshal to come into Court and prosecute his appeal, and failing to appear — It is thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. J. H. Ashton, of counsel for the appellee, now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite

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87 The Nevada Bank of San Francisco, Plff. in Error
vs.
John Sedgwick.

This cause was argued by Mr. John C. Hurd, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

88	J. H. Fechtenburg & Co vs. The Bark "Woodland" &c.	Appellants.

This cause was argued by Mr. James Ridgway, of counsel for the appellants, and by Mr. R. J. Saulsbury, of counsel for the appellees.

89	Frances L. Eglert. Executrix, &c. vs. Phillipp Lippmann's al.	Appellant.

The argument of this cause was commenced by Mr. J. M. Clayton, of counsel for the appellant, and continued by Mr. J. B. Staples, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday November 14th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William B. Woods — Associate Justices
Stanley Matthews — Associate Justices

John F. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Mac-Veagh it is ordered that Elihu Root, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William N. Mauzy, it is ordered that H. N. Marshall, Esquire, of Richmond, State of Virginia, be admit-

led to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. S. Henkle, it is ordered that George F. Barton and John C. Lunting Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Erwin Davis and J. N. Patrick,	In Error to the Supreme Court of the Territory of Utah.
64. vs. Writ of Error.	
Wells, Fargo & Company.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Monday November 11th 1881, continued

46	Frances N. Barton, Pltf. in Error. vs. John S. Barbour, Recr of the Washington City, Virginia Midland & Great Southern R.R. Co.	In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

Dissenting:
Mr. Justice Miller.

47	The St. Louis Insurance Company, Pltf. in Error. vs. The St. Louis, Vandalia, Terre Haute & Indianapolis Railroad Company.	In Error to the Circuit Court of the United States for the Eastern District of Missouri.

Monday November 14th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel - On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Harlan.

Ferdinand Meloaf & C. E. Tilton vs. William S. Williams.	Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

68

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel - On consideration whereof, It is now here ordered, adjudged

and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Bradley

William S. Porter, impleaded with J. Morton Poole and H. G. Norwood

63 vs. Plff. in Error.

Jennie L. Graves, as Admx &c. of Cyrus Graves, deceased.

In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in

The Courts of the State of New York.
per Mr. justice Miller.

William Ludlow Assignee in Bankruptcy of William P. Bush
vs.
Jane C. Easton Administratrix of Joseph S. Easton deceased. Amos J. Hatwell. Samuel Logan, William P. Bush & Emma Bush.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief justice Taney.

Monday November 14th 1851 continued

	Richard Jones, Adam Simms and Adams Elshlager and Allison Nailor	In Error to the Supreme Court of the District of Columbia.
57	vs	
	In Error.	
	Jenny Randolph, Mary B. Randolph and Henrietta Pendleton.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to award a new trial.

per Mr. Chief Justice Taney.

72	David Levy impleaded with Margaret Kay & J. C. Sims, vs. Ferdinand Dangel.	Pltff. in Error.	In Error to the Supreme Court of the Territory of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. ~~and interest until paid at the same rate per annum that similar judgments bear in the Courts of the Territory of Idaho.~~

Per Mr. Chief Justice Waite.

77	Henry N. Toon and Amos C. Babcock, vs. The Phoenix Mutual Life Insurance Co.	Pltffs in Error.	In Error to the Circuit Court of the United States for the Northern District of Illinois.

Monday November 14th 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, That the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Waite.

211-3 | W. G. and N. J. Winslow, Appellants. vs. Miss C. Wilcox. | On consideration of the motion for a Writ of Certiorari in this cause, It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

Ex parte: In the matter of Samuel Lloyd Heard & The Credo Cemetery Association.

11 Original. Petitioners

On consideration of the petition of Samuel Lloyd Heard and The Credo Cemetery Association - It is ordered that cause be shown by the Honorable John J. Jackson, judge of the District Court of the United States for the District of West Virginia, before this Court at Washington in the District of Columbia on the first Monday of December next at 12 o'clock noon of that day or as soon thereafter as counsel can be heard, why a Writ of Mandamus should not issue commanding him to strike the cause of the Chesapeake & Ohio Railway Company, plaintiff, vs. C. B. Heard, J. N. Baldwin, Samuel Lloyd Heard and The Credo Cemetery Association, defendants, from the docket of his said Court, so far as said petitioners are concerned, and remand the same to the State Court from whence it came.

116 | James A. London. vs. Appellant. The City of Memphis. | On consideration of the motion of Mr. Fillmore Beall, of counsel for the appellant, it is hereby ordered that cause be shown by the Taxing District of Shelby County, Tennessee, before this Court, at Washington, in the District of Columbia, on the second Monday of December next at 12 o'clock noon of that day or as soon thereafter as counsel can be heard, why an order should not be entered in this cause substituting the said Taxing District of Shelby County, Tennessee, for the City of Memphis, as the appellee in this cause.

per Mr. Chief Justice Waite.

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104 | Inma Fewell vs. Appellant in Error. John L. Batistal. | Ordered by the Court that the further hearing of the motion to dismiss this cause pursuant to Section 1, Rule 15, of this Court, be, and the same is hereby, postponed until Monday next, and in the meantime the Clerk will send by mail a copy of

the motion to the counsel of record for said plaintiff in error.

Per Mr. Chief Justice Waite.

The Pittsburgh, Cincinnati & St. Louis Railway Co. & The Pennsylvania R.R. Co. 346 vs. Appellants. The Columbus, Chicago & Indiana Central Railway Company et al.

Mr. Wayne MacVeagh filed and submitted to the consideration of the Court petition of the appellants for an order granting them leave to substitute other bonds for the $1,000,000 of bonds of the Northern Central Railway Company deposited as collateral security upon the appeal bond in this cause.

The Western Union Telegraph Co. 361 vs. Pltf. in Error. The State of Texas.

Mr. D. Phillips, of counsel for the defendant in error, filed and submitted to the consideration of the Court, motion to advance this cause.

97	The Brig "Annie Lindsley" &c., vs. Appellant. Daniel Brown et al., And	Mr. P. Phillips, in behalf of counsel, moved the Court to assign these cases for argument
101	Jacob M. Lancaster et al., vs. Appellants The Steamboat "Francis Wright" &c.	

on the first day of December next. Whereupon the Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

22	F. W. Wilson et al., vs. Appellants. James W. Woodruff.	Mr. J. M. Shanner, of counsel for the appellants, filed and submitted to the consideration of the Court motion to rescind and annul the judgment of dismissal pursuant to the 19th rule of this Court entered in this cause on October 12th, and to reinstate the cause on the docket.

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156 George W. Rives, Administrater &c. vs. Hpp. in Error. Andrew J. Parish, Administrater &c. of William Y. Parish, deceased

Mr. H. K. Marshall of counsel for the defendant in error, filed and submitted to the consideration of the Court, suggestion of the removal of Andrew J. Parish as Administrater &c. of William Y. Parish, deceased and the appointment of A. H. H. Duke jr. as Administrater de bonis non &c. of said William Y. Parish, deceased.

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120 John H. Doughten vs. Hpp. in Error The American Exchange National Bank

The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel Wagner, in support of the same, and by Mr. Thomas Greenbank, in opposition thereto.

Monday November 11th 1861, continued

6	George Hearst, vs. Appellant. Fanny B. Halligan, Admx &c. et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Samuel Knox and Mr Jacob Klein, of counsel for the appellant, and by Mr. W. H. B. Crews, of counsel for the appellee.

89	Frances L. Egbert, Executrix, &c. vs. Appellant. Philip P. Leffingwell et al.	The argument of this cause was continued by Mr. J. B. Staples, of counsel for the appellees, and concluded by Mr. N. Q. Keasbey, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday November 15th 1859

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite — Chief justice
Samuel F. Miller, Joseph P. Bradley, John M. Harlan, William B. Woods, Stanley Matthews — Associate justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

97 The Brig "Annie Lindsley" &c., vs. Appellant. Daniel Brown et al.
And
102 Jacob M. Duncan et al., vs. Appellants. The Steamtug "Francis Wright" &c.

On consideration of the motion to assign these cases for argument on December 1st It is ordered that said motion be and the same is hereby denied.

per Mr Chief justice Waite

1016	Mrs. M. M. Ada Lamebal, vs. Jos. Wallace & W. H. Handlin	Appls. in Error.

The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. H. Handlin in support of same, and by Mr. Joseph T. Turner, in opposition thereto.

90	The South Park Commissioners vs. William P. Kerr	Appellants.	The argument of these cases was commenced by Mr. M. H. Fuller, of counsel for the South Park Commissioners, and continued by Mr. Robert Rae, of counsel for the appellants in No. 755, and by Mr. John C. Lumbers, of counsel for William P. Kerr.
755	Charles N. Atkins and Elizabeth Ann Phillips vs. William P. Kerr	Appellants.	
777	William P. Kerr and William P. Kerr vs. The South Park Commissioners et al.	Appellant.	

Proclamation being made the Court is ad-

Wednesday November 16th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews — Associate Justices.

John G. Sheedy Esquire Marshal
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. S. T. Wallis, it is ordered that Franklin H. Mackey, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Martin Bostett, Appellant. vs. M. J. Hassell, Admr.	The motion to dismiss this cause was submitted to

Wednesday November 16th 1881, continued

The consideration of the Court on printed arguments by Mr. Asa Iglehart and Mr. J. C. Iglehart, in support of the same, and by Mr. S. Phillips and H. Hallett Phillips, in opposition thereto

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386	H. P. Mason & H. C. Cabot vs. Pltfs in Error John Sargent late Collector &c.	Mr. Solicitor Genl Phillips filed and submitted to the consideration of the Court, motions to advance these cases.
1066	W. A. Merrill, Collector &c. vs. Pltf in Error Samuel Welsh et al., and	
1112	Frederick Hoyt, vs. Pltf in Error The People of the Territory of Utah	

90	The South Park Commissioners, " vs Appellants William P. Kerr	On motion of Mr W. H. Butler, leave is hereby granted, Mr. P. S. Ingersoll to file a supplemental brief in these cases.
158	Charles N. Atkins and Elizabeth Ann Phillips, vs Appellants. William P. Kerr and	
772	William P. Kerr vs Appellant. The South Park Commissioners et al	

90	The South Park Commissioners vs Appellants. William P. Kerr	The argument of these cases was continued by Mr. John C. Dunton, of counsel for Wm P. Kerr, by Mr P. S. Ingersoll & Mr E. S. Williams, of counsel for appellees in No 772; & by Mr.
158	Charles N. Atkins and Elizabeth Ann Phillips, vs Appellants. William P. Kerr and	
772	William P. Kerr, vs Appellant. The South Park Commissioners et al.	

H. C. Gordy, of counsel for William P. Kerr.

Thursday November 17th 1881

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William B. Woods — Associate Justices
Stanley Matthews — Associate Justices

John F. T. Nicoly Esquire Marshal
James H. McKenney Clerk.

Proclamation being made the Court is opened.

The South Park Commissioners
vs. Appellants.
William P. Kerr

Charles H. Atkins and
Elizabeth Ann Phillips
vs. Appellants
William P. Kerr

And

William P. Kerr
vs. Appellant.
The South Park Commissioners et al.

The argument of these cases was continued by Mr. H. G. Sandy, of counsel for Wm P. Kerr, and concluded by Mr. M. H. Shuler, of counsel for

The South Park Commissioners

92

Benjamin Porter, vs. Plff in Error. The Aetna Insurance Company.	In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute his writ of error and failing to appear. It is thereupon, in pursuance of the 16th rule of this Court, now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed with costs, And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Thursday November 17th 1881, continued

93	Samuel P. Williams vs. The Township of Hollana.	In Error. This cause was submitted to the consideration of the

Court on the record and printed arguments by Mr. L. L. Hughes, Mr. J. J. O'Brien and Mr. W. J. Smiley, of counsel for the plaintiff in error, and by Mr. Charles Upson, of counsel for the defendant in error.

911	The Board of Supervisors of Chickasaw County, vs. James Woodruff.	In Error to the District Court of the United States for the Northern Dis-

trict of Mississippi.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and on the authority of counsel for the plaintiff in error on file - It is now here ordered and adjudged by this Court that the writ

of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

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95 The Union Paper Bag Machine Co. et al. vs. Thomas N. Nixon et al. Appellants.

and

96 The Union Paper Bag Machine Co. et al. vs. Thomas Nixon. Appellants.

Ordered by the Court that these cases be, and the same are hereby, passed to be argued with Nos. 181 & 182.

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107 Jacob M. Dungan et al. vs. The Steamtug "Francis Wright" &c. Appellants.

Ordered by the Court that this cause be, and the same is hereby, passed subject to provisions of Section 7, Rule 26

Thursday November 17th 1881, continued

97	The Dug. Mutual Lingslar &c., vs Daniel Brown et al.	Appellant.

The argument of this cause was commenced by Mr. R. D. Benedict, of counsel for the appellant, and continued by Mr. Nicholas Wynde, of counsel for the appellees

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday November 18th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present:

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
Stanley Matthews	

John F. Nicolai Esquire Marshal
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger it is ordered that R. S. Barr, Esquire, of Wheeling, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. G. Connell it is ordered that J. P. Whittemore, Esquire, of

Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Lowndes, it is ordered that L. H. Scott, Esquire, of Cadiz, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Charles L. Black Admr &c., et al.,	Mr C. L. Black, of counsel for the appellants filed and submitted to the consideration of
516	vs. Appellants.	
	Samuel Thorne et al.	

the Court, motion to advance this cause.

	Henry N. Ballett,	Appeal from the Circuit Court of the United States for the District of Massachusetts.
555	vs. Appellant.	
	Lyman L. Barber	

This cause came on to be heard on the transcript of the record from the Cir-

cuit Court of the United States for the District of Massachusetts, and on the stipulation of counsel on file and motion of Mr. Fillmore Beall, in behalf of counsel - It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, each party to pay their own costs in this Court.

per Mr. Chief Justice Waite.

Edward S. Lawrence, Plff. in Error vs. Charles Dorm	In Error to the Supreme Court of the State of Pennsylvania.

No 70

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and on the motion of Mr. Fillmore Beall, of counsel for the defendant in error, and stipulation on file - It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

97	The Brig "Annie Lindsey" &c, vs Samel Brown et al. Appellant.	The argument of this cause was continued by Mr. Wilhelmus Wyndorse, of counsel for the appellees, and concluded by Mr. R. D. Benedict, of counsel for the appellant.

98	Samuel Keslin, impleaded &c, vs Wells, Fargo & Co. Appellant.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. G. Sutherland and J. R. McBride, of counsel for the appellant, and by Mr. Samuel Shellabarger and Mr. J. M. Wilson, of counsel for the appellees

99	Samel N. Wells et al, vs John Nickles. Plffs. in Error.	This cause was submitted to the consideration of the

Court on the record and printed arguments by Mr. J. G. Sutherland and Mr. J. R. McBride, of counsel for the plain-

Iffs. in error, and by Mr. Samuel Shellabarger and Mr. J. M. Wilson, of counsel for the defendant in error.

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100 Robert H. Connell et al., Plffs. in Error.
vs.
Almira N. Curtis
and
101 Peter Valiton et al., Appellants
vs.
Almira N. Curtis.

These cases were argued by Mr. M. F. Morris and Mr. S. F. Wilcox, of counsel for the defendant in error and appellee, and submitted on printed arguments by Mr. H. M. Suggs, of counsel for the plaintiffs in error and appellants.

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103 Charles Magee,
vs. Appellant
Alfred K. Potter,
Assignee, &c.

Mr. H. S. Price, of counsel for the appellant, suggested the death of Charles Magee, and on motion - It is ordered that this cause be, and the same is hereby, continued until the next term.

Friday, November 18th 1881, continued

104	Henry A. Walker et al, Appellants. vs. Daniel H. Towers and Oscar Craig, Executors &c.	This cause was argued by Mr. J. P. Whittemore, of counsel for the appellants, and by Mr. H. F. Cogswell, of counsel for the appellees

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105	John George Maclean & Andrew Magee as survivors of William N. Maclean, deceased, Pltfs. in Error vs. George M. Scott as Assignee in Bankruptcy of James S. Aspinwall, Bankrupt.	In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and on the authority of the decision of this Court

in the case of Wilson vs. Goodrich &c. No. 100 of October Term 1878, and motion of Mr. W. P. Chambers, of counsel for the defendant in error. It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday November 21st 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices

John F. Sheeran Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this cause by Mr. A. H. Browne, it is ordered that Harmon D. Ameling, Esquire, of Williamsport, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this cause by Mr. Samuel Shellabarger, it is ordered that George S. Clapp, Esquire,

of St. Joseph, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Marion C. Hope, it is ordered that William H. Salter, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Knickerbocker Life Insurance Company vs. Pliff. in Error. Christina Huff.	In Error to the Circuit Court of the United States for the District of New Jersey.

15

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel — On consideration whereof,

It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New-jersey.

Per Mr. Justice Matthews.

The Flagstaff Silver Mining Company of Utah Limited

vs.

Andrew J. Hunter,

80 US. Affs in Error.

George Cullins.

In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed

with costs.

per Mr. Justice Woods.

The Masonic Mining Company, vs. The Anglo-California Bank (Limited)	In Error to the Circuit Court of the United States for the District of California.

1/8

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of California,

per Mr. justice Harlan.

71	Elisha T. Loring, Pltf in Error. vs. Helen L. Fine, Executrix of William D. Fine, deceased.	In Error to the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict of the jury and grant a new trial.

Per Mr. Justice Miller.

87	The Nevada Bank of San Francisco, Pltf in Error. vs. John Sedgwick.	In Error to the Circuit Court of the United States for the District

of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel—

On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

J. H. Fuchtenburg and Jos. Loewengrat as J. H. Fuchtenburg & Company

v.

The Bark Woodland" her tackle &c., and Cargo & freight, William H. Turnbull & Charles Turnbull, Claimants

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

Mrs. M. M. Ida Lane wife of George H. Lane, and George H. Lane her husband,

116 vs. In Error to the Supreme Court of the State of Louisiana.

J. C. Wallace & H. H. Handlin suing as Wallace & Handlin.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and on the motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this

cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

22	F. C. Wilson et al., Appellants. vs. James C. Moore et al.	On consideration of the motion to rescind the decree of dismissal entered in this cause and to reinstate the cause upon the docket. It is now here ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

350	H. C. Mason & H. C. Cabot Plffs. in Error vs. John Sargent Late Collector,	On consideration of the motions to advance these cases. It is ordered that said motions be, and the same are hereby, granted, and the cases
1066	Edwin N. Merritt, Collector, Plff. in Error. vs. Samuel Welsh et al.	
	and	
1112	Frederick Hoyt, Plff. in Error. vs. The People of the Territory of Utah.	

are assigned in the order of their numbers next after No. 1075 assigned for argument at foot of day calendar for the second Monday in January next.

per Mr. Chief Justice Waite.

902	The Western Union Telegraph Company, Plff in Error, vs. The State of Texas.	On consideration of the motion to advance this cause, It is ordered that said motion be, and the same is hereby, granted, and the case is assigned for argument next after No. 1112 assigned for argument at foot of day calendar for the second Monday in January next.

per Mr. Chief Justice Waite.

816	Charles A. Black, Admr &c., et al, Appellants vs. Samuel Thornstal.	On consideration of the motion to advance this cause, It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

158	The United States vs. Appellant Charles M. Taylor &c.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Phillips and Mr. Jno. S. Blair, of counsel for the appellant, and by Mr. Albert Pike and Mr. Luther A. Pike, of counsel for the appellee, pursuant to the 20th rule.

156	George C. Rives, Admr &c, of George Rives, dec'd. vs. Pltf in Error. Andrew J. Parish, Admr &c, of Wm D. Parish, dec'd.	Mr. D. A. Watson, of counsel for the plaintiff in error, filed and submitted to the consideration of the Court, motion for a rule on R. J. H. Luke jr., to show cause why the above suit should not be revived in his name as Administrator of William D. Parish, deceased, and it appearing from record evidence on file that the powers of Andrew J. Parish as Administrator of William D. Parish, deceased, have ceased

and determined and that the said R. T. H. Luke jr. has been appointed Administrator in his stead. It is now here ordered that the said R. T. H. Luke jr. Administrator as aforesaid, show cause before this Court, at Washington in the District of Columbia, on the fifth day of December next, at twelve o'clock noon of that day, or as soon thereafter as counsel can be heard, why said cause should not be revived in his name as Administrator of said William P. Parish, deceased.

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309 | The American Middlings Purifier Company, Appellant. vs. The Atlantic Milling Co. | Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and on the motion of Mr. Rodney Mason, of counsel for the ap-

fellant, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

The American Middlings Purifier Company; vs. Appellant.
John A. Christian, Llewellyn Christian & Caduwallader Washburn, co-partners under the firm-name & style of Jno. A. Christian & Co.

Appeal from the Circuit Court of the United States for the District of Minnesota.

310

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and on the motion of Mr. Rodney Mason, of counsel for the appellant, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

106	Gardner A. Sage jr. vs. Appellant J. S. Haycock, Assignee &c.,	This cause was argued by Mr. A. J. Vanderpool, of counsel for the appellant, and by Mr. George F. Kennedy, of counsel for the appellee.

109	Augustus Schell, late Collector of the Port of New York, vs. H. E. Lodge, N. James, D. H. James, J. Hoskins & H. E. Lodge jr.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

110 Augustus Schell, late Collector of the Port of New York, Plff in Error
vs.
C. I. Sherman, S. I. Nichols, D. M. Mason & F. D. Coddington.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney.

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111 Augustus Schell, late Collector of the Port of New York, Plff in Error
vs.
S. N. Ellery, D. Hendrix & F. Holbauer.

In Error to the Circuit Court of the United States for the Southern District of New York.

Monday November 21st 1831, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief justice Taile.

	Constance C. Redfield, Executrix & Frazer D. Redfield Executor of F. J. Redfield, deceased, late Collector of the Port of New York.	In Error to the Circuit Court of the United States for the Southern District of New York.
115	15. Pffs. in Error.	
	E. J. Sherman, S. S. Nichols, J. N. Mason & A. B. Coddington.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here

ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Constance W. Redfield, Executrix & Hiram D. Redfield, Executor of H. Redfield, deceased, late Collector of the Port of New York. 115 vs. Pltfs. in Error.
William Lanahigh, C. Theodore N. Schafer & G. Ritter.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiffs in error. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

119	Constance C. Redfield, Executrix and Frank D. Redfield, Executor of H. J. Redfield deceased, late Collector of the Port of New York. vs. Plffs in Error H. S. Nelson and F. Brown.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiffs in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs

per Mr. Chief justice Waite.

120	Constance C. Redfield Executrix & Frank D. Redfield, Executor of H. J. Redfield, deceased late Collector of the Port of New York, vs. Plffs in Error. Bernard Andreae & Co. Andreae.	In Error to the Circuit Court of the United States for the Southern District of New

York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiffs in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

Constance C. Redfield, Executrix of Frank D. Redfield, Executor of W. J. Redfield, deceased, late Collector of the Port of New York,
121 vs. Plffs. in Error.
N. D. Sherrill.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiffs in error, It is now

were ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Lucretia Bronson, Executrix of S. C. Bronson, dec'd, late Collector &c.,
107 vs. Plff. in Error.
John H. Schulten et al,

Lucretia Bronson, Executrix of S. C. Bronson, dec'd, late Collector &c.,
108 vs. Plff. in Error.
William Loeschigk et al,

Augustus Schell, late Collector &c.,
112 vs. Plff. in Error.
Edward Harburg et al,

Augustus Schell, late Collector &c.,
113 vs. Plff. in Error.
Louis Grossman.

Constance C. & Frank B. Nedrill, Executrix & Executor of N. Nedrill dec'd, late Collector &c.
116 vs. Plff. in Error.
Amanda La Chaise et al,

and

The argument of these cases was commenced by Mr Solicitor General Phillips of counsel for the plaintiffs in

Monday November 21st 1831, continued

	Constance C. & Frank S. Ridgeld, Executrix & Executor of N. J. Ridgeld dec'd. late College &c.	error, and continued by Mr. Saml. Shoemaker of counsel for the defendants in error.
118	Vs.	
	Mooney Mitchell et al.	

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday November 22nd 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite — Chief Justice.
Samuel F. Miller — Associate Justices.
Joseph P. Bradley — Associate Justices.
John M. Harlan — Associate Justices.
William B. Woods — Associate Justices.
Stanley Matthews — Associate Justices.

John F. Nicolay Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

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765 George H. Williams, A. J. Vilger, James S. Hits, Louis De Saussure, and Robert A. Gourdin & N. C. Young Executors of A. Gourdin, deceased. vs. Calvin Coglinetal. Appellants.

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of South Carolina, and on the stipulation of counsel on file and motion of Mr. James Lowndes, on behalf of counsel, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed; each party paying their own costs.

per Mr. Chief Justice Taney.

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765 George N. Williams et al, vs. Calvin Claflin et al. Appellants

On motion of Mr James Lowndes, leave is hereby, granted the Clerk to issue the Mandate in this cause.

Thursday November 22nd 1855, continued

Lucretia Bronson, Executrix
of S. C. Bronson, dec'd, late Collector &c,
107 vs. Pltff. in Error.
John H. Schuiten et al.,
Lucretia Bronson, Executrix
of S. C. Bronson, dec'd, late Collector &c,
108 vs. Pltff in Error.
William Loesenigk et al
Augustus Schell, late Collector &c,
111 vs. Pltff. in Error.
Edward Harburger et al
Augustus Schell, late Collector &c,
113 vs. Pltff. in Error.
Louis Grossmann
Constance C. & Frank B. Redfield, Executrix & Executor of H.
Redfield, dec'd, late Collector &c,
116 vs. Pltffs in Error.
Amanda La Chaise et al.
and
C. C. & F. B. Redfield Executrix
and Executor &c,
115 vs. Pltffs. in Error.
Mooney Mitchell et al.

The argument of these cases was continued by Mr. A. H. Griswold and Mr. Samuel Shellabarger, of counsel for the defendants in error, and concluded by Mr. Solicitor General Phillips, of counsel for the plaintiffs in error.

139	The National Bank of Hoversville, Pltff in Error. vs James R. Johnson	This cause was argued by Mr. Francis Kernan, of counsel for the plaintiff in error, and by Mr. W. M. Parke, of counsel for the defendant in error.

140	Reuben F. Pollard et al., Pltffs in Error vs. F. J. Tinlon and	Ordered by the Court that these cases be, and the same are hereby, passed.
141	Reuben F. Pollard et al., Pltffs in Error. vs. The United States Mail Line Co.	

142	Simon L. Jones, Louis Jacoby, & H. L. C. Meyer, Assignees of the estate of Charles Hare, a bankrupt, Appellants. vs. George H. Low.	Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District

of California, and the appellants having been three times solemnly called by the Marshal to come into Court and prosecute their appeal and failing to appear - It is, thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. R.L. Benedict, of counsel for the appellee, now here ordered, adjudged and decreed by this Court, that this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

	Isaac D. Bateman et al,	This cause was
113	15 Plffs in Error	submitted to the
	D. R. Firman, Assignee &c.	consideration of

the Court on the record and printed arguments by Mr. J. H. Sutherland and Mr. J. R. McBride, of counsel for the plaintiffs in error, and by Mr. Samuel Shellabarger and Mr. J. M. Wilson, of counsel for the defendant in error.

1141	The City of New Orleans vs. Appellant. The New Orleans, Mobile & Texas R.R. Co	Ordered by the Court that this cause be, and the same is hereby, continued until the next term

1145	John H. Jones vs. Appellant. Louis H. Allen.	Ordered by the Court that this cause be, and the same is hereby, continued until the next term

1146	James N. Loudon vs. Appellant. The City of Memphis.	Ordered by the Court that this cause be, and the same is hereby, passed.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday November 23rd 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices.
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
Stanley Matthews	

John C. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. D. Warden, it is ordered that Edwin Maxwell, Esquire, of Clarksburg, State of West Virginia, be admitted to practice here as an attorney and counsellor of this Court and he was sworn accordingly.

1149	The Evansville National Bank of Evansville, Ind. vs. Appellant. Thomas P. Dillon, Treasurer &c. and Thomas P. Dillon, Treasurer &c. vs. Appellant. The Evansville National Bank of Evansville, Ind.	1156	Mr. S. S. Hendricks, in behalf of counsel, filed and submitted to the consideration of the Court, motion to advance these cases.

147	Susan Vigel vs. Appellant. Susan Hoppe.	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. S. S. Hendricks, of counsel for the appellant. No counsel appearing for the appellee.

148	Loring P. Hawes, vs. Appellant. The Contra Costa Water Company et al.	This cause was submitted to the consideration of the Court on the record with leave to counsel for the respective parties to file printed arguments within the time specified by the 20th rule.

149	John Morrison. vs. Plff. in Error. Samuel Halnaker.	This cause was submitted to the consideration of the Court on the Record and printed argument by Mr. Willis Drummond and Mr. R. H. Bradford, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

150	H. K. Chatfield et al., Appellants vs. H. F. Doyle et al.	Ordered by the Court that this cause be, and the same is hereby, passed.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday November 28th 1881.

Pursuant to adjournment the Court met today at the Capitol

Present-

The Honorable Morrison R. Waite — Chief justice.
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews — Associate justices.

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. H. Johnston, it is ordered that John N. Lewis, Esquire, of Lynchburg, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Edmunds, it is ordered that Charles N. Fox,

Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. L. Camden, it is ordered that Robert S. Blair, Esquire, of Wheeling W. T., State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that John W. Foster, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. K. Browne, it is ordered that Thomas North, Esquire, of Chicago, State of Illinois, be

admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Beard it is ordered that Cornelius H. Hanford Esquire, of Seattle, Washington Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Robert H. Donnell, William N. Clarke & Saml E. Karalis, Plaintiffs in Error. vs. Almira R. Curtis	In Error to the Supreme Court of the Territory of Montana.

100

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in

this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

101

Peter Tabeling, The First National Bank of Deer Lodge, Robert H. Donnell, William A. Clark and Samuel E. Larabie vs. Almira V. Curtis.

Appeal from the Supreme Court of the Territory of Montana

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

1130	Martin Bassett vs. Appellant. W. J. Hassell, Admr.	On consideration of the motion to dismiss this cause, It is ordered that unless the appellant cause a citation, returnable on the first Monday in February next, to be issued and served on the present appellee before that date, this appeal be dismissed. per Mr Chief Justice Waite.

1149	The Evansville National Bank of Evansville, Ind. vs. Appellant. Thomas P. Britton, Treasurer &c. and Thomas P. Britton, Treasurer &c. vs. Appellant. The Evansville National Bank of Evansville, Ind.	On consideration of the motion to advance these cases, It is ordered that said motion be, and the same is hereby, granted,
1156		

and the cases are assigned for argument next after No. 903, assigned for argument at foot of day calendar for the second Monday in January next.

Maggie L. Flagg & William F. Flagg, vs. Appellants. Samuel Tucker.	On consideration of the motion to docket and dismiss this cause pursuant to the 9th rule - It is ordered that said motion be, and the same is hereby denied. per Mr. Chief justice Waite.

The Chicago & Northwestern Railroad Co. 168 vs. Appellant. The United States and The Union Pacific Railroad Company, 160 vs. Appellant. The United States	Mr. Solicitor General Phillips filed and submitted to the consideration of the Court motion to advance these cases and assign the same for argument with Nos. 194 and 195.

David E. James, 166 vs. Appellant. Micajah McCormick	On motion of Mr. J. H. Johnston, leave is

leave granted him to withdraw his appearance as counsel for the appellant in this cause.

1049 Robert Frame, Executor &c. vs. Hpt. in Error
The Mutual Assurance Society of Virginia and
Hellington Selden, Exec'x &c. vs. Hpt. in Error.
1050 The Mutual Assurance Society of Virginia

The motion to dismiss these cases was submitted to the consideration of the Court on the records and printed arguments by Mr. Philip Phillips, in support of the same and by Mr. N. B. Tabb and Mr. James Lyons, in opposition thereto. Motion for a writ of Certiorari was also submitted to the consideration of the Court by Mr. N. B. Tabb and Mr. James Lyons, in support of the same, and by Mr. P. Phillips, in opposition thereto.

308	Benjamin Hayden, Appellant. vs. Charles Manning.	On motion of Mr. F. A. Hall- igan, leave is hereby granted him to withdraw his appearance as counsel for the appellant in this cause.

105	J. F. Maclean et al Plffs. in Error. vs. H. M. Olcott, Assignee &c.	On motion of Mr. H. N. Maury, in behalf of counsel, leave is hereby granted the Clerk to issue the Mandate in this cause.

101	D. C. Govan, Executor &c. et al Appellants. vs. Peter J. Otey, Admr &c.	Mr. John H. Lewis, of counsel for the defendant in error, filed and submitted to the consid- eration of the Court a suggestion of dimi- nution of the record and motion for a Writ of Certiorari in this cause.

1125	Benjamin U. Kuyser et al., Appellants. vs. Henry H. Fair et al.	The motion for a writ of Supersedeas in this cause was argued by Mr. West Stone, in support of the same, and by Mr. H. Faulk Phillips, in opposition thereto.

151	The Souds Manufacturing Company, Appellant vs. John J. Cowing et al.	This cause was argued by Mr. H. F. Cozzens, of counsel for the appellant, and submitted on printed argument by Mr. Olisha Foote, of counsel for the appellees.

152	Felix Collins et al, Plffs. in Error. vs. H. H. Kerr	The argument of this cause was commenced by Mr. Robert S. Blair, of counsel for the plaintiffs in error, continued by Mr. S. D. Camden, of counsel for the defendant in error, and concluded by Mr. Edwin Max-

Monday November 28th 1831, continued

writ, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday November 29th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite Chief justice.
Samuel F. Miller
Joseph P. Bradley
Ward Hunt
John M. Harlan
William B. Woods
Stanley Matthews
} Associate justices.

John F. Nicolay Esquire, Marshal.
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George H. Edmunds it is ordered that Eppa Hunton, Esquire, of Warrenton, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. K. Valentine,

It is ordered that Uriah Bump, Esquire, of West Point, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Pittsburgh, Cincinnati & St Louis Railway Company, & The Pennsylvania R.R. Co. 546 vs. Appellants.
The Columbus, Chicago & Indiana Central Railway Company et al.

On consideration of the petition of the appellants in this cause for an order granting them leave to substitute other bonds for the $1,000,000 of bonds of the Northern Central Railway Company, deposited as collateral security upon the appeal bond in this cause. It is ordered that the Fidelity Insurance, Trust and Safe Deposit Company shall surrender to the Pennsylvania Railroad Company, the Northern Central Railway Company bonds deposited as collateral security on the appeal in this cause, upon delivery by the said Pennsylvania Railroad

Company to the said Fidelity Insurance, Trust and Safe Deposit Company the bonds of the Pittsburgh, Cincinnati and St. Louis Railway Company, and Warren and Franklin Railroad Company specified in the said petition of the said appellants, to wit:

The consolidated mortgage seven per cent registered bonds of the Pittsburgh, Cincinnati & St. Louis Railway Company for $1,000 each, principal payable August 1st, 1900, interest payable February 1st and August 1st, Numbers 161 to 313, 3503 to 3513, and 3451 to 3459, all inclusive.

311 first mortgage seven per cent. coupon bonds of the Warren & Franklin Railroad Company, for $1,000 each, principal payable February 1st, 1896, with coupon of February 1st 1882, and subsequent coupons attached, Numbers 1 to 30, 54, 58, 59, 68, 73, 78, 81, 84, 85, 111, 113, 114, 133 to 137, 147, 153 to 156, 158, 160 to 167, 174, 181, 189, 190, 192, 203, 206, 207, 209 to 211, 225, 226, 235, 238 to 254, 267 to 269, 295, 298, 302, 316, 319, 337, 339, 343 to 345, 353, 354, 383, 384, 388, 397 to 425,

439, 446 to 448, 452 to 456, 459, 473 to 483, 488, 489, 501 to 504, 507, 511, 531 to 551, 566, 567, 569, 570, 581 to 584, 590, 621 to 623, 641, 643, 651 to 655, 691, 694 to 696, 700, 703, 712, 719, 720, 726 to 732, 741, 750 to 753, 755, 764, 781, 782, 788, 791 to 799, 806, 807, 810, 813, 815, 817, 820, 821, 823 to 827, 832, 839, 840, 842 to 847, 864, 866, 867, 879, 893, 900, 902 to 905, 907, 908, 919, 920, 926 to 930, 935 to 940, 945, 947, 949, 952, 953, 962, 963, 968, 981 to 984, and 989, all inclusive.

435 first mortgage seven per cent. coupon bonds of the Warren & Franklin Railroad Company, for $500 each, principal payable February 1st, 1896, with coupon of February 1st 1882, and subsequent coupons attached, Numbers 1 to 6, 17, 18, 20, 39, 46 to 50, 76 to 83, 117 to 120, 132 to 135, 181 to 189, 191 to 196, 215 to 217, 219, 220, 222, 224, 226, 237 to 240, 261 to 263, 271, 274, 275, 281 to 295, 301 to 352, 360 to 362, 366 to 368, 370 to 377, 379, 406, 407, 418 to 421, 424 to 432, 437, 439 to 445, 453, 455 to 457, 518, 523 to 525, 527 to 529, 531, 548, 550 to 557, 562 to 567, 618 to 637, 639, 641, 651, 652, 695, 696, 700, 702 to 704, 725 to 741, 743, 744, 747, 748, 751 to 756, 761, 762, 771, 772, 774 to 779, 782,

789, 790, 795 to 803, 807 to 816, 819, 820, 823, 824, 825 to 860, 863, 863, 868 to 872, 874 to 887, 889 to 891, 899 to 905, 907, 908, 910, 914 to 925, 939 to 942, 945 to 1000, all inclusive.

Said bonds at par amounting in the aggregate to one million of dollars.

Said surrender and delivery to be made under the supervision of Samuel Bell, Clerk of the Circuit Court of the United States for the Eastern District of Pennsylvania, who is now appointed Special Master for that purpose, and who shall take and report the receipt of the said Fidelity Insurance, Trust and Safe Deposit Company agreeing to hold the said securities so to be deposited in lieu of and in substitution for the said Northern Central Railway Company bonds subject to the order and disposition of this Court, said receipt also to provide that the said parties depositing said substituted securities shall, pending the said appeal, be permitted to receive and collect the current interest and cou-

fees on said bonds be deposited for its and their own use.

per Mr. Chief Justice Taney.

(Mr. Justice Matthews having been of counsel in this cause took no part in the decision of this motion.)

Ezekiel Hills
vs. Hyp. in Error
Samuel H. Kittel et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Woolworth, of counsel for the plaintiff in error, and by Mr. J. M. Marquett, of counsel for the defendants in error, under the 29th rule.

William J. Williams &
Sarah C. Williams
vs. Appellants.
Wm. S. Tenfield et al.

Mr. P. Phillips, in behalf of counsel, suggested the death of William J. Williams, one of the appellants in this cause, and on motion it is

ordered that the case be, and the same is hereby, passed.

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153 Moses Taylor vs. Plff. in Error
The City of Upsilanti

This cause was argued by Mr. George F. Edmunds, of counsel for the plaintiff in error, and by Mr. A. J. Beaks, of counsel for the defendant in error.

1135 Benjamin H. Keyser et al, vs. Appellants.
Henry F. Farr et al.

On motion of Mr. H. Wallett Phillips, leave is hereby granted him to file brief in opposition to the motion for a writ of Supersedeas in this cause.

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154 Anna Fowell, vs. Plff. in Error
John L. Bates, Frederick O. Prince, George S. Cushing, Patrick Grant and Henry O. Brooks.

In Error to the Circuit Court of the United States for the District of Massachusetts.

Thursday November 19th 1891 continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and it appearing to the Court that the legal representatives of Anna Newell, deceased, have said be appear as parties plaintiffs in error in this cause as provided by the order of publication issued herein, It is thereupon, on the motion of Mr. H. S. Theobald, of counsel for the defendants in error, and in pursuance of the 15th rule of this Court, now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed ~~with costs~~, *

per Mr. Chief Justice Waite.

* [illegible]

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday November 30th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief justice.
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews.
} Associate justices

John G. Nicolay Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Philip Phillips it is ordered that Randall Lee Gibson, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Mitchell, it is ordered that W. C. George, Esquire, of

Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

305	Benjamin Hayden. vs. Appellant. Charles Manning.	On motion of Mr. J. N. Mitchell, of counsel for the appellant, leave is

is this granted him to withdraw from the files temporarily the original Exhibits filed in this cause.

157	David N. Elwood vs. Pl. in Error. Patrick Flanigan impleaded with Edward Lorin.	(Substituted per Rule 55) This cause was argued by Mr. H. S. Scales, of counsel for the plaintiff in error and by Mr. Thomas Hoyne, of counsel for the defendant in error.

Wednesday November 30th 1853, continued

156	George C. Rives Admr &c. vs. Andrew J. Parish, Admr &c.	Ordered by the Court that this cause be, and the same is hereby, passed until Monday next.

155	Arthur Pickering et al. vs. Michael McCullough et al.	The argument of this cause was commenced by Mr. J. C. Maynadier of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday December 1st 1881.

Pursuant to adjournment the Court met today at the Capitol

Present-

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr H. Bakewell it is ordered that T. W. Clarke, Esquire, of Pittsburgh, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by John L. McPherson, it is ordered that William N. King, Esquire, of Albany, State of New York, be admitted

to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Samuel Y. Hyde et al.		This cause
110 vs	Plffs. in Error	was submitted to the
John Kuble et al		consideration

of the Court on the record and printed arguments by Mr. Angus Cameron, of counsel for the plaintiffs in error, and by Mr. Gordon E. Cole, of counsel for the defendants in error, under the 24th rule.

Francis K. Dant		Mr. J. J. Riddle,
161 vs	Plff. in Error.	of counsel for the
The District of Columbia.		defendant in error,

suggested the death of Francis K. Dant, the plaintiff in error in this cause and on motion, it is ordered that this cause be, and the same is hereby, passed.

118	The Town of Roberts, Plff. in Error. vs. Matthew Dolliver et al.	On motion of Mr. J. K. Edsall, in behalf of counsel, leave is hereby granted the Clerk to issue the Mandate in this cause.

155	Arthur Pickering et al, Appellants. vs. Michael McCullough jr. et al.	The argument of this cause was continued by Mr. J. E. Maynadier, of counsel for the appellants, and by Mr. H. Bakewell, of counsel for the appellees, and concluded by Mr. J. E. Maynadier, of counsel for the appellants.

159	David S. Draper Plff. in Error. vs. The Town of Springport.	The argument of this cause was commenced by Mr. J. K. Cox, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday December 2nd 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices.

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

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159 | David S. Draper vs. Plff. in Error. The Town of Springfield. | The argument of this cause was continued by Mr. H. H. Cogswell, of counsel for the defendant in error, and concluded by Mr. James R. Cox, of counsel for the plaintiff in error.

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160 | John F. Edmunds, vs. Plff. in Error. Lauderdale County, Tenn. | In Error to the Circuit Court of the

United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and on the authority of the decision of this Court in the case of Kaplan County vs. The Rogers Locomotive and Machine Works (103 U. S. Reports, page 225) and Statement of counsel for the defendant in error on file. It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Chief Justice Waite.

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161 | Alexander Henry, Appellant. vs. The Providence Tool Company. | Appeal from the Circuit Court of the United States for the District of Rhode Island

Friday December 2nd 1881, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and on the stipulation of counsel on file. It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed. Each party paying their own costs.

per Mr. Chief Justice Waite.

163	Miram Quimby, Plff. in Error vs. Andrew Conlan.	This cause was submitted to the consideration of the Court on

the record and printed arguments by Mr. Willis Drummond and Mr. R. N. Bradford, of counsel for the plaintiff in error, and by Mr. James Coleman, of counsel for the defendant in error.

Friday December 2nd 1881, continued

164	Lewis Hammock et al, Appellants. vs. The Farmers' Loan & Trust Company.	The argument of this cause was commenced by Mr. J. K. Edsall, of counsel for the appellants, and continued by Mr. R. C. Williams, of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 5th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices

John G. Nicolay Esquire Marshal
James M. McKenney Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. E. R. Nelson, it is ordered that R. T. H. Duke, Esquire, of Charlottesville, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. J. Robertson, it is ordered that R. T. H. Duke, Jr.

Esquire, of Charlottesville, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. W. G. Russell, it is ordered that Lawson E. Hare, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	William C. Conner, James N. Black & James L. Conner, Executors of William C. Conner, deceased, Sheriff of the City and County of New York, Plffs. in Error. vs. William H. Long, Assignee in Bankruptcy of Benjamin N. Spaulding.	In Error to the Circuit Court of the United States for the Southern District of New York.
76		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr. justice Matthews.

97

The Brig "Anne Lindsey" her tackle &c, Cornelius T. Tompkins, Claimant: vs. Appellant	Appeal from the Circuit Court of the United States for the Southern District of New York.
Daniel Brown, Richard Barden, Walter Paine, Philip L. Bardenstal	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged

and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Woods

211	The United States vs. Appellant. Charles M. Taylor in his own right and as Administrator of Irene M. Taylor, deceased.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. justice Woods.

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6 George Hearst
vs. Appellant.
Fanny D. Halligan,
Administratrix of
James Halligan, decd.

Appeal from the
Circuit Court
of the United
States for the
Eastern District
of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause in, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

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79 Calvin N. Hale, Henry Thimor, Harriet Crosby Sr., & Nathaniel Crosby Jr.
vs. Plffs. in Error.
Duncan B. Finch.

In Error to the
Supreme Court
of the Territory
of Washington.

Monday December 5th 1881, continued

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan.

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104 Negus S. Walker, and Joseph P. Whittemore vs. Appellants.
Daniel H. Powers, & Oscar Craig, Executors of John Craig, deceased, Daniel H. Powers, personally, and Helen Maria Powers, sole devisee &c. of John Craig, impleaded with Henry Ten Eyck.

Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by

counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

Per Mr. justice Miller.

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69 John C. Polk, Plff. in Error. vs. Henry Meagher, Antoine Symon, and Louisa B. Thornton.

In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief justice Waite.

	Samuel P. Williams	In Error to the
93	vs. Plff. in Error	Circuit Court of
	The Township of Ottawa.	the United States
		for the Western
	District of Michigan.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed, And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the suit without prejudice. Costs in this Court and in the Circuit Court to be paid by the plaintiff in error.

per Mr. Chief Justice Waite.

166

Gardner A. Sage Jr.
vs
Appellant.
Jonathan F. Kinnecom,
as Assignee in Bankrupt-
cy of John K. Fowler, a
bankrupt, impleaded
with Davis Cassill as
Sheriff of Onondaga
County and John K.
Fowler.

Appeal from
the Circuit
Court of the
United States
for the North-
ern District
of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the North-ern District of New York and was ar-gued by counsel. On consideration where-of, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Monday December 5th 1881, continued

1113	Isaac C. Bateman & David C. Bull, Plffs in Error. vs. S. R. Thurman, Assignee of Richard V. Anderson, a Bankrupt.	In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. ~~and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the Territory of Utah~~

per Mr. Chief Justice Waite.

17 The County Court of Knox County, vs. Appellant in Error. The United States ex rel: George H. Marshman.

Ordered by the Court that this cause be re-argued with No. 613 when that case is reached.

per Mr. Chief Justice Waite.

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101 J. C. Swan, Executor &c, et al. vs. Appellants Peter J. Clay, Admr &c.

On consideration of the suggestion of a diminution of the record and motion for a Writ of Certiorari in this cause. It is now here ordered by this Court that a Writ of Certiorari be, and the same is hereby awarded, to be issued forthwith, and to be directed to the judge of the District Court of the United States for the Eastern District of Arkansas, commanding him that searching the record and proceedings in this cause he forthwith certify to this Court under the seal of said District Court

whatever omissions and errors shall be found to the extent enumerated in the affidavit of Richard Wright filed with said motion, and return the same with the said Writ of Certiorari forthwith to this Court.

per Mr Chief Justice Waite.

	The Chicago & Northwestern Railway Co.	On consideration of the motion to advance these cases and assign them for argument with Nos. 194 and 195 – It is ordered that said motion be, and the same is hereby, denied.
901	vs. Appellant.	
	The United States,	
	And	
	The Union Pacific R.R. Co.	
860	vs. Appellant.	
	The United States.	

per Mr. Chief Justice Waite

	Benjamin H. Keyser et al,	Ordered that the further consideration of the mo-
1125	vs. Appellants.	
	Henry N. Farr et al.	

sion for a Writ of Supersedeas in this cause be, and the same is hereby, postponed for the present.

per Mr. Chief Justice Waite.

156	Geo. W. Sims, Admr &c. vs. Andrew J. Parish, Admr &c.	On motion of Mr. E. A. Watson, of counsel for the plaintiff in error, and consent of Mr. R. T. H. Duke, of counsel for the defendant in error, It is ordered that R. T. H. Duke, Jr. Administrator de bonis non &c. of William J. Parish, deceased, be, and he is hereby, made the party defendant in error in this cause in place of the said Andrew J. Parish, with liberty to assist this writ of error

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Charles N. Mills, Recr of Taxes &c, et al.
147 vs. Appellants.
The National Albany Exchange Bank
and
The Board of Supervisors of Albany County,
147 vs. App. in Error.
Edward N. Hanby.

Mr. George F. Edmunds filed and submitted to the consideration of the Court, motion to advance these cases.

The State of New York
6 Original. vs. Complainant.
The State of Louisiana et al.

On motion of Mr. W. A. Duer, of counsel for the complainant, leave is hereby granted to file answers to the cross-bill filed in this cause, and leave is also granted to file replication to the answer of the State of Louisiana et al to the Original bill filed in this cause, and a commission is hereby ordered to be issued to Sidney De Kay as Special Commissioner to take testimony in this cause.

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10 Original.

Ex-parte: In the matter of Samuel Lloyd Heard and The Weed Cemetery Association. Petitioners

On motion of Mr. H. J. Robertson, and consent of Mr. J. Holdsworth Gordon, of counsel for the petitioners, - Ordered that the time within which to make return to the rule to show cause issued in this cause be extended two weeks.

15

The Knickerbocker Life Insurance Company vs. Plff. in Error. Christina Hopf.

Mr. Joseph Court, of counsel for the defendant in error submitted to the consideration of the Court, motion for leave to the Clerk to issue the Mandate in this cause, which was opposed by Mr. A. Q. Keasbey of counsel for the plaintiff in error. Thereupon, It is ordered that said motion be, and the same is hereby, denied.

815	William H. Hood vs. Appellant. The Burlington & Missouri River Railroad Co. in Nebraska.	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. E. E. Brown, Mr. J. J. Redick, and Mr. W. J. Connell, of counsel for the appellant, under the 20th rule.

1005	The Town of Louisville, vs. Pltf. in Error. The Portsmouth Savings Bank.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. J. Henry, of counsel for the plaintiff in error, and by Mr. S. M. Cullom, of counsel for the defendant in error, under the 20th rule.

1006	The County of Clay vs. Pltf. in Error. The Savings Savings.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. J.

Monday December 5th 1881, continued

Young, of counsel for the plaintiff in error, and by Mr. D. G. Fitler, of counsel for the defendant in error, under the 20th rule.

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164 Lewis Hammock et al. vs. The Farmers' Loan and Trust Company. | Appellants. | The argument of this cause was continued by Mr. A. G. Williams, of counsel for the appellees, and concluded by Mr. J. K. Edsall, of counsel for the appellants.

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165 Hobart C. Dugger et al., vs. N. T. Babcock et al. | Plffs. in Error. | The argument of this cause was commenced by Mr. S. F. Phillips, of counsel for the plaintiffs in error

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday December 6th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews — Associate Justices

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

1163 Henry M. Rector U.S. Appellant vs. Hot Steel, Maria L. Pettit & C. P. Freeman

Mr. S. H. Williams, of counsel for the appellees, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the Eastern District of Arkansas.

I, Ralph K. Goodrich, Clerk of the Circuit Court of the United States for the Eastern District of Arkansas, do here-

by certify that in a certain cause pending in said Court wherein Henry M. Teeter was complainant and Thos. Stout, Maria L. Pettit, and W. F. Freeman were defendants, a final decree was rendered by said Circuit Court on the second day of May A. D. 1881, in favor of said defendant and against said complainant, and that on the said second day of May A. D. 1881, said complainant prayed an appeal to the Supreme Court of the United States which was duly allowed.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Circuit Court at Little Rock, this 29th day of November A. D. 1881.

(Seal)

Ralph L. Goodrich
Clerk"

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this ap-

final docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Arkansas, be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr Chief Justice Waite.

116.3 Henry M. Reeter
v.
Henry P. Smith.

Mr. S. H. Williams, of counsel for the appellee, having filed in open Court the following certificate to wit:

"Circuit Court of the United States for the Eastern District of Arkansas.

I, Ralph L. Goodrich, Clerk of the Circuit Court of the United States for the Eastern District of Arkansas, do hereby certify that in a certain cause pending in said Court wherein Henry M. Reeter was complainant and Henry P. Smith was defendant, a final

decree was rendered by said Circuit Court on the second day of May A. D. 1881. in favor of said defendant and against said complainant, and that on the second day of May A. D. 1881, said complainant prayed an appeal to the Supreme Court of the United States which was duly allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of said Circuit Court at Little Rock this 29th day of November A. D. 1881

(Seal)

Ralph L. Goodrich
Clerk"

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Arkansas be, and the same is hereby, docketed and dismissed

with costs; And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite

1161 Henry M. Reeder, Appellant, vs. Matilda Dipsecomt

Mr. S. H. Williams, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the Eastern District of Arkansas.

I, Ralph L. Fredrich, Clerk of the Circuit Court of the United States for the Eastern District of Arkansas, do hereby certify that in a certain cause pending in said Court wherein Henry M. Reeder was complainant and Matilda Dipsecomt was defendant, a final decree was rendered by said Circuit Court on the second day of May A.D. 1881, in favor of said defendant and against said complainant, and that on the said second day of May A.D. 1881, said complainant prayed an appeal to the Supreme

Court of the United States which was duly allowed.

In testimony whereof I have unto subscribe my name and affix the Seal of said Circuit Court at Little Rock this 1st day of Dec. A.D. 1881

(Seal)

Ralph L. Fredrick
Clerk"

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 6th rule, to have this appeal docketed and dismissed - On consideration whereof, It is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Arkansas be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Waite.

1165 Henry W. Rester
vs. Appellant.
Elihu B. Smith

Wm. S. H. Williams, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the Eastern District of Arkansas.

I, Ralph E. Fredrich, Clerk of the Circuit Court of the United States for the Eastern District of Arkansas, do hereby certify that in a certain cause pending in said Court, wherein Henry W. Rester was complainant and Elihu B. Smith was defendant, a final decree was rendered by said Circuit Court on the second day of May A. D. 1881, in favor of said defendant and against said complainant and that on the said second day of May A. D. 1881, said complainant prayed an appeal to the Supreme Court of the United States which was duly allowed.

In testimony whereof I have hereunto subscribed my name and affix the seal of said Circuit Court at Little

(Seal) Rock. this 29th day of
November A.D. 1881
Ralph L. Goodrich
Clerk"-

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 6th rule, to have this appeal docketed and dismissed - On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Arkansas be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

1166

Henry M. Reeter
vs. Appellant.
Thad Taylor, and
William Gray.

Mr. S. H. Williams,
of counsel for the
appellee having filed
in open Court the
following certificate,
to wit:

"Circuit Court of the United States for the
Eastern District of Arkansas.

I, Ralph E. Fredrich, Clerk of the
Circuit Court of the United States for the
Eastern District of Arkansas, do hereby certify
that in a certain cause pending in said
Court, wherein Henry M. Reeter was com-
plainant and Thad Taylor and William
Gray were defendants, a final decree was ren-
dered by said Circuit Court on the second
day of May A. D. 1851, in favor of said de-
fendants and against said complainant,
and that on the said second day of May
A. D. 1851, said complainant prayed an
appeal to the Supreme Court of the United
States which was duly allowed.

In testimony whereof I
hereunto subscribe my
name and affix the seal

(Seal) of said Circuit Court at Little Rock this 29th day of November A.D. 1881
Ralph L. Goodrich
Clerk"-

and having stated that the officials had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 6th rule, to have this appeal docketed and dismissed- On consideration whereof, It is now here ordered, adjudged, and decreed by this Court- that this appeal from the Circuit Court of the United States for the Eastern District of Arkansas, be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1167 Henry W. Rector, Jos. Appellant. J. H. Parker, Elem Parker, J. J. Young & R. E. Schofield

Mr. S. H. Williams, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the Eastern District of Arkansas.

I, Ralph L. Scudrien, Clerk of the Circuit Court of the United States for the Eastern District of Arkansas, do hereby certify that in a certain cause pending in said Court wherein Henry W. Rector was complainant and J. H. Parker, Elem Parker, J. J. Young, and R. E. Schofield were defendants, a final decree was rendered by said Circuit Court on the second day of May A. D. 1881, in favor of said defendants and against said complainant, and that on the said second day of May A. D. 1881, said complainant prayed an appeal to the Supreme Court of the United States which was duly allowed.

In testimony whereof I hereunto subscribe my

name and affix the seal of said Circuit Court at Little Rock this 29th day of November A. D. 1881

(Seal)

Ralph L. Goodrich Clerk"

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 6th Rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Arkansas, be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite

1168

Henry W. Reeder,
vs. Appellant.
Henry P. Smith and
E. J. Reid

Mr. S. H. Williams,
of counsel for the
appellee, having filed
in open Court the
following certificate,
to wit:

"Circuit Court of the United States for
the Eastern District of Arkansas.

I, Ralph L. Fredrich, Clerk of the
Circuit Court of the United States for the
Eastern District of Arkansas, do hereby
certify that in a certain cause pending in
said Court wherein Henry W. Reeder was
complainant and Henry P. Smith and
E. J. Reid were defendants, a final decree
was rendered in said Circuit Court on the
second day of May A. D. 1851, in favor of
said defendant and against said com-
plainant, and that on the said second
day of May A. D. 1851, said complainant
prayed an appeal to the Supreme Court
of the United States which was duly al-
lowed.

In testimony whereof
I hereunto subscribe

(Seal)

my name and affix the seal of said Circuit Court at Little Rock this 29th day of November A. D. 1881.

Ralph L. Goodrich
Clerk"

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed - On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Arkansas, be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite.

1169

Henry M. Teeter
vs. Appellant
F. H. Beattie and
A. S. Barnett

Wm. S. H. Williams,
of counsel for the appellees, having filed
in open Court the
following certificate,
to-wit:

"Circuit Court of the United States for
the Eastern District of Arkansas.

I, Ralph L. Goodrich, Clerk of the
Circuit Court of the United States for the
Eastern District of Arkansas, do hereby cer-
tify that in a certain cause pending in
said Court wherein Henry M. Teeter was
complainant and F. H. Beattie and A. S.
Barnett were defendants, a final decree
was rendered by said Circuit Court on
the second day of May A. D. 1881, in favor
of said defendants and against said com-
plainant, and that on the said second
day of May A. D. 1881, said complainant
prayed an appeal to the Supreme Court
of the United States which was duly al-
lowed.

In testimony whereof I
hereunto subscribe my name

(Seal)

and affix the seal of
said Circuit Court
at Little Rock this 29th
day of November A.D. 1881.
Ralph L. Goodrich
Clerk"

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the Eastern District of Arkansas, be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief justice Waite.

Thursday December 6th 1855 continued

1170

Shaddens H. Spindle,
Assignee in Bankruptcy of
Charles H. Shreve
vs. Applicant
Charles H. Shreve, John H.
Shreve, Thomas J. Shreve,
N. L. Corry, J. H. Mary,
James L. Brewster, L. H.
Shreve, Sallie A. Shreve,
Sallie J. Shreve, Evelina
Shreve, Mary E. Shreve,
Charles H. Shreve jr., James
Buchanan & L. H. Shreve.

Wm. H. Allen
Esquire of Counsel for the Applicant, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the Northern District of Illinois, ss.

Shaddens H. Spindle, Assignee in bankruptcy of Charles H. Shreve,
vs.
Charles H. Shreve, John H. Shreve, Thomas J. Shreve, N. L. Corry, J. H. Mary, James L. Brewster, L. H. Shreve, Sallie A. Shreve, Sallie J. Shreve, Evelina Shreve, Mary E. Shreve, Charles H. Shreve jr.
} In Chancery.

I, William H. Bradley, Clerk of the Circuit Court of the United States for the Northern District of Illinois, hereby certify that a decree dismissing the Bill herein was rendered in said Court on the twenty-seventh day of September A.D. 1880, Hon. Thomas Drummond presiding; And that an appeal was duly sued out and allowed on the twenty-second day of January A.D. 1881.

In testimony whereof I have hereunto set my name and affixed the seal of said Court at my office in Chicago this eighth day of November A.D. 1881.

(Seal)

"Wm H. Bradley, Clerk"

And having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that this appeal

from the Circuit Court of the United States for the Northern District of Illinois, &c, and the same is hereby docketed and dismissed with costs; And that this cause be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1016 | Mrs M M Ada Lane et al. vs. Plffs in Error. J. E. Wallace & H. H. Handlin. | On motion of Mr. H. A. McKinney, leave is hereby granted the Clerk to issue the Mandate in this cause.

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165 | Hobart C. Dugger et al, vs. Plffs in Error. H. P. Bocock et al. | The argument of this cause was continued by Mr. S. F. Phillips, of counsel for the plaintiffs in error, and by Mr. M. L. Woods, of counsel for the defendants in error, and concluded by Mr. S. F. Phillips, of counsel for the plaintiffs in error.

Tuesday December 6th 1881, continued

166	David C. James, vs. Appellant. Micajah McCormack.	Appeal from the Circuit Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute his appeal, and failing to appear, It is, thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. Jno. F. Campbell, of counsel for the appellee, now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Waite.

Thursday December 6th 1855, continued

167	J. A. Taylor & Co. vs. Plffs. in Error C. A. Arthur, Collector &c.	This cause was argued by Mr. Abram Hakeman, of counsel for the plaintiffs in error, and by Mr. Solicitor General Phillips, of counsel for the defendant in error.

165	D. A. Russell, vs. Appellant. Jesse P. Farley, Receiver &c.	This cause was argued by Mr. H. N. Hubbard and Mr. R. L. Ashhurst, of counsel for the appellant, and submitted on printed argument by Mr. N. J. Horn, of counsel for the appellee.

171	John J. Linton et al, vs. Appellants. Homer Hamilton et al	(Substituted for No. 169) The argument of this cause was commenced by Mr. Andrew McCallum, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 7th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
Stanley Matthews	

John F. Nicolay, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. F. P. Cuffy, it is ordered that John Burr Benford, Esquire, of Virginia City, State of Nevada, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

141	John J. Linton et al., Appellants. vs. Homer Hamilton et al.	On motion of Mr. T. H. Sanderson, of counsel for the appellees, leave is hereby granted him to file an additional brief in this cause.

141	John J. Linton et al., Appellants vs. Homer Hamilton et al	(Substituted for No. 169.) The argument of this cause was continued by Mr. Andrew McCallum of counsel for the appellants, and by Mr. T. H. Sanderson, of counsel for the appellees, and concluded by Mr. Andrew McCallum, of counsel for the appellants.

140	George T. Davis & Co. et al., Appellants. vs. Friedlander, Slick & Co.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William M. Randolph, of counsel for the appellants, and by Mr. Lewis Graham, and Mr. Charles E. Mayer, of

Counsel for the appellees

169	James Greenwood, Appellant. vs. The Union Freight R.R. Co.	(Substituted for No. 171) The argument of this cause was commenced by Mr. George P. Edmunds, of counsel for the appellant, and continued by Mr. Darwin C. Hare, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 8th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite Chief justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Edmunds, it is ordered that Nathan Cleaves Esquire, of Portland, State of Maine, and John H. Ames, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and they were sworn accordingly.

Thursday December 8th 1881, continued

On motion first made to the Court in this behalf by Mr. H. G. Russell, it is ordered that Albert E. Paterson, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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179 The United States vs. Plff. in Error.
R. P. Earhart, Admr of J. H. Peritt Huntington, deceased, John Long, Jas. Heatherly, S. Coyen, H. C. Griswold and John F. Miller.

In Error to the Circuit Court of the United States for the Dist. of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error - It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby,

dismissed.

per Mr. Chief Justice Waite.

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169 James Greenwood, Appellant. vs. The Union Freight R.R. Co.

(Substituted for No. 171.) The argument of this cause was continued by Mr. Darwin E. Hay, and Mr. W. G. Russell, of counsel for the appellee, and concluded by Mr. George P. Edmunds, of counsel for the appellant.

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172 Charles J. Bonaparte, Executor, &c., Plff. in Error. vs. The Appeal Tax Court of Baltimore City.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Atwill Steele, and Mr. Charles J. Bonaparte, of counsel for the plaintiff in error, and by Mr. C. J. M. Swinn, of counsel for the defendant in error.

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87 The Chicago, Danville & Vincennes R. R. Co. et al vs. Appellants.
Wm. K. Fosdick & Jas. L. Fish
and
173 The Chicago, Danville & Vincennes R. R. Co. et al. vs. Appellants.
Wm. K. Fosdick & Jas. L. Fish et al.

The argument of these causes was commenced by Mr. S. Shellabarger and continued by Mr. A. Biddlestone, of counsel for the appellants.

1130 The Bank of Commerce vs. Plff. in Error.
The State of Tennessee et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. G. C. Jones, of counsel for the plaintiff in error, and by Mr. S. F. Lea, of counsel for the defendants in error, under the 20th rule

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, December 9th 1881

Pursuant to adjournment the Court met today at the Capitol

Present—

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. Maury it is ordered that James S. Ayers, Esquire, of Natchez, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jason H. Terry, it is ordered that J. A. Jordan, Esquire, of

Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chicago & Pacific Railroad Company, Ezra Wm. H. C. Hawkins, and S. L. Pinkerick, vs. Appellants.
John T. Blair, the Lackawana Iron & Coal Co., the Delaware, Lackawana & Western Railroad Co. et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr. E. Walker, of counsel for the appellants. It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

Friday December 9th 1881, continued

	The Chicago & Pacific Railroad Company,	
697	vs.	Appellant.
	John I. Blair, The Delaware, Lackawanna and Western Railroad Co. et al.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr. C. Walker, of counsel for the appellant, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

	The Trustees of the Internal Improvement Fund of the State of Florida	
601	vs.	Appellants.
	Charles F. Trenouth, Adm'r of Francis Rose, dec'd.	Mr. C. H. Jones, of counsel for the appellants filed and submitted to the consideration of the Court, motion to advance this cause.

172 The Chicago, Danville & Vincennes R. R. Co. et al. vs. Wm R. Fosdick & Jas N. Fish and The Chicago, Danville & Vincennes R. R. Co. et al. vs. Wm R. Fosdick et al.

Appellants

The argument of these cases was continued by Mr. James N. Campbell, of counsel for the appellees, and by Mr. R. Biddle Roberts, of counsel for the appellants, and concluded by Mr. E. Harlan, of counsel for the appellants.

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174 Charles Fox vs. The City of Cincinnati

Plff. in Error

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. T. J. Linaley of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

Friday December 9th 1881, continued

175

William Libby and George Fox, Survivors &c. vs. Pltffs. in Error
Lewis C. Hopkins et al.

This cause was argued by Mr. Aaron F. Perry, of counsel for the plaintiffs in error, and by Mr J. N. Jordan and Mr. Isaac Dayton, of counsel for the the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 17th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present=

The Honorable Morrison R. Waite Chief justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. H. McGowan, it is ordered that Homer Cook, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. H. Haskell, it is ordered that Edward Gray Hetson, Esquire, of-

San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles N. Fox it is ordered that Henry Crocman Esquire, of Oakland, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas F. Bayard, it is ordered, that Edward S. Radford jr., Esquire, of Wilmington, State of Delaware, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The National Bank of Hoosick,	In Error to the Supreme Court of the State of New York.
139	vs. Plff in Error.	
	James N. Johnson.	

This cause came on to be heard on the tran-

script of the record from the Supreme Court of the State of New York, being process and the record and proceedings upon a mandate from the Court of Appeals of the State of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Matthews

Arthur Pickering, Charles D. Pickering, H. D. Atwood, Executor of Charles N. Atwood, dec'd, & The Phoenix Manufacturing Co.

vs.

Michael McCullough jr., John H. Dalzell, C. C. Arensbaugh, & W. E. Du Barry, partners as McCullough, Dalzell & Co.

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

155

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western

District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now hereby ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Matthews.

Eliza Davis, widow of Minor Kenner, deceased, Administratrix of the estate of Minor Kenner and tutrix of her minor children. vs. Myra Clark Gaines	Appeal from the Circuit Court of the United States for the District of Louisiana.

29 Appellant.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that so much of the decree of the said Circuit Court, in this cause as relates to the property bought by Michel Fortier and Omer

Porter and now claimed by the widow and heirs of Elmer Ramer, deceased, &c, and the same is hereby, reversed with costs, And that this cause &c, and the same is hereby, remanded to the Circuit Court of the Eastern District of Louisiana, with directions to dismiss the bill so far as it concerns the appellant.

per Mr. Justice Woods.

Frances Lee Egbert, Executrix of Samuel N. Barnes, deceased,	Appeal from the Circuit Court of the United States for the Southern District of New York.
89 vs. Appellant	
Phillip P. Leffman & August Seligman.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, &c, and the same is hereby, affirmed with costs.

per Mr. Justice Woods

114	Ezekiel Giles vs Plff in Error Samuel H. Kittle & David May.	In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Woods.

152	Felix Collins, John N. Beall, Charles Riotsetal, vs Plffs in Error H. H. Riley.	In Error to the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. justice Harlan.

1119 John Morrison vs. Plff. in Error. Samuel Stalnaker. | In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

147	Susan Sigel, vs. Appellant. Susan Hospe.	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause be, and the same is hereby, reversed with costs, And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to dismiss the bill.

per Mr. Chief Justice Waite

90	The South Park Commissioners vs. Appellants. William P. Kerr and William P. Kerr vs. Appellant	Appeals from the Circuit Court of the United States for the Northern District of Illinois
777	The South Park Commissioners et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed; each party paying the costs of their appeal in this Court.

Elizabeth Ann Phillips and Charles N. Atkins.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.
758 vs. Appellants.	
William P. Kerr	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered, adjudged and decreed by this

Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

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170 John H. Boughton vs. Kipp in Error. The American Exchange National Bank. | In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and on the motion to dismiss which was argued by counsel,- On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Waite.

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391 Narcissa Scruggs et al, vs. Appellants. The Memphis & Charleston R. R. Co. & James N. Kiser. | On consideration of the motion to dismiss this cause - It is ordered that

said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite

1049 Robert Shame Executor &c. vs. Plff. in Error. The Mutual Assurance Society of Virginia. and

1050 Millington Fodden, Executor &c. vs. Plff. in Error. The Mutual Assurance Society of Virginia

On consideration of the motions to dismiss or affirm and for Writs of Certiorari in these cases - It is ordered that the motions to affirm and for Writs of Certiorari be, and the same are hereby, denied, and that the motion to dismiss be, and the same is hereby, postponed for hearing with the cases on their merits.

per Mr Chief Justice Waite

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601 The Trustees of the Internal Improvement Fund of the State of Florida vs. Appellants. Charles T. Greenough, Admr of Frances Rose, deceased.

On consideration of the motion to advance this cause. It is ordered that said motion be, and the same is hereby granted, and the cause is assigned for argument at the foot of the day calendar for the second Monday in March next.

per Mr Chief Justice Waite.

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817 Charles A. Mills, Receiver of Sams &c. et al. vs. Appellants. The National Albany Exchange Bank,

and

847 The Board of Supervisors of Albany County vs. Pff. in Error. Edward N. Stanley.

On consideration of the motion to advance these cases. It is ordered that said motion be, and the same is hereby granted and the cases are assigned for argument in the order of their numbers next after No. 1156, assigned for argument

at foot of day calendar for the second Monday in January next.

per Mr. Chief Justice Waite.

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176 Thomas Sayles
vs. Appellant
The Lake Shore & Michigan Southern Railway Co.
And
304 Thomas Sayles.
vs. Appellant.
The Richmond, Fredericksburg & Potomac R.R. Co.

Mr. Albert H. Hatheway counsel for the appellant in these cases, suggested the death of Thomas Sayles, the appellant in these cases, and moved the Court for leave to enter the appearance of Charles H. Root, Executor of Thomas Sayles, as the party appellant in these cases. Whereupon, It is ordered that said Charles H. Root, Executor of the said Thomas Sayles, deceased, as aforesaid, be, and he is hereby, entered and made the party appellant in these cases with liberty to prosecute these appeals.

1015 Brooks Mackall Jr.,
vs. Appellant.
Alfred Richards et al.

The motion to dismiss this cause was submitted to

the consideration of the Court on the record and printed arguments by Mr. H. S. Hebb, in support of the same, and by Mr. H. Hillenghby, in opposition thereto.

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193 The Spring Valley Works, plff. in Error.
vs
Intervenor Schottler et al

Mr. Charles N. Fox, of counsel for the plaintiff in error, filed and submitted to the consideration of the Court, motion to advance this cause.

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185 Lorin P. Hawes, appellant.
vs
The Contra Costa Water Company et al

On motion of Mr. Charles N. Fox, of counsel for the appellant. Mr. Henry Vroman, of counsel for the appellees, being present, and consenting thereto, leave is hereby granted to withdraw the stipulation agreeing to submit this cause pursuant to the 20th rule heretofore filed in this cause, and this cause is thereupon submitted to the consideration of the Court on the record and printed arguments by Mr. Charles N. Fox, of counsel

for the appellant, and by Mr. Henry Lee-man, of counsel for the appellees.

71	Elisha F. Loring, vs. Plff. in Error. Helen L. Linn, Executrix &c.	On motion of Mr. George P. Edmunds, of counsel for the plaintiff in error,

leave is hereby granted the Clerk to issue the Mandate in this cause.

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7 Original -	Ex parte: In the matter of William P. Clayton, Petitioner	On motion of Mr. J. H. Wilcox-on, and con-sent of Mr.

Alfred Russell, of counsel for the petitioner, It is ordered that the argument on the re-turn to the rule issued in this cause be, and the same is hereby, postponed until the second Monday in January next after the cases specially assigned for the first of the call on that day.

1060	Vincent Allicas, vs. Plff. in Error. O. H. Williams, Executor &c.	On motion of Mr. C. H. Horner, of counsel for

the plaintiff in error, leave is hereby granted him to file 3 affidavits of value in this cause.

995	W. L. Rosset Lamar, Executor, &c. vs Appellant. Mary J. C. Wilcox, Admx &c.	The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. P. Nash, in support of the same, and by Mr. E. N. Dickerson and Mr. C. C. Beaman Jr. in opposition thereto.

554	The Town of Koshkonong, vs Pff. in Error. Oscar N. Burton.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. L. B. Caswell, of counsel for the plaintiff in error, and by Mr. J. N. Harper, and Mr. A. K. Whiton, of counsel for the defendant in error, under the twentieth rule.

177	Mary Jane Higgs et al vs. Higgs in Chan. R. S. Houston & Co.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Thornburgh, of counsel for the plaintiffs in error, and by Mr. Assistant Attorney, of counsel for the defendants in error, under the twentieth rule.

14 Original.	Ex parte: In the matter of The Detroit River Ferry Co. Petitioner	The argument of this cause was commenced by Mr. N. C. Kiesner, of counsel for the petitioner.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday December 13th 1881.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William A. Woods
Stanley Matthews
Associate justices.

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Benton McMillin, it is ordered that A. K. McAlister Jr, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John N. Thomas, it is ordered that George Leiper Thomas,

Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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160 | John F. Edmunds, Plaintiff in Error, vs. Lauderdale County | On motion of Mr. H. G. O. Nunes, of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the Mandate in this cause.

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11 Original | Ex parte: In the matter of the Detroit River Ferry Co. Petitioner. | The argument of this cause was continued by Mr. Alfred Russell, of counsel for the respondent, and concluded by Mr. N. C. Hiscock, of counsel for the petitioner.

Thursday December 13th 1883 continued

Ex parte: In the matter of
Frederick Gordon,
Original. Petitioner.

The argument of this cause was commenced by Mr. Mr. Thur George Brown of counsel for the petitioner, and continued by Mr. John N. Thomas of counsel for the respondent, and by Mr. Stuart Brown of counsel for the petitioner.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Wednesday December 15th 1880

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas F. Bayard it is ordered that William C. McFarland, Esquire, of Cleveland, State of Ohio and Walter Cummins, Esquire, of Wilmington, State of Delaware be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court

in this behalf by Mr. John Van Cortlandt, it is ordered that James C. Jackson, Esquire, of Canandaigua, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Angus Cameron, it is ordered that J. R. Gamble, Esquire, of Yankton, Dakota Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that the Court would adjourn from Thursday the 22nd instant to Wednesday, January 4th, 1882.

Ex parte: In the matter of Frederick Gordon, Petitioner.

5 Original.

The argument of this cause was concluded by Mr. Stewart Brown, of counsel for the petitioner.

Wednesday December 14th 1831, continued

Ex parte: In the matter of Walter F. Nagar. Petitioner

Original.

The argument of this cause was commenced by Mr. F. W. McMurtrie, of counsel for the petitioner, and continued by Mr. Edward J. Bradford jr., and Mr Thomas F. Bayard, of counsel for the respondent.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 15th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices
Stephen J. Field — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William B. Woods — Associate Justices
Stanley Matthews — Associate Justices

John F. Sheridan Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton, it is ordered that Roger M. Sherman, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. A. Potter, it is ordered that Daniel H. McMillan, Esquire,

of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

361	The Memphis & St. Louis Railroad Company vs. J. K. Hopkins, Collector &c.	In Error	Mr. H. J. Hunt, filed and submitted to the consideration of the Court, motion to advance this cause.

16	Samuel Bennett vs. The Mahoney Mining Co.	Appellant.	On motion of Mr. J. Hubley Ashton, of counsel for the appellee, leave is hereby granted the Clerk to issue the Mandate in this cause.

9	Ex parte: In the matter of Walter F. Hagar	Petitioner.	The argument of this cause was continued by Mr. Thomas F. Bayard, of counsel for the respondent, and concluded by Mr. S. T. McMurtrie,
	Original.		

of counsel for the petitioner.

1176	Charles D. Root, Executor of Thomas Sayles, deceased, vs. The Lake Shore & Michigan Southern Railway Co. Appellant.	The argument of this cause was commenced by Mr. Albert A. Walker, of counsel for the appellant, and continued by Mr. George Jayson, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday December 16th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite, Chief justice.

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate justices.

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William C. McFarland, it is ordered that Horace Alvord, Esquire, of Painesville, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas L. Young, it is ordered that John F. Dowey, Esquire,

of Urbana, and Charles R. White, Esquire, of Springfield, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Ex parte: In the matter of Peter M. Rowland, &c. Shultz & N. C. Germany.	Mr. John T. Morgan, of counsel for the petitioners,
11 Original. Petitioners.	asked and obtained leave to file a

petition for Writs of Habeas Corpus & Certiorari in this cause and submitted the same to the consideration of the Court on printed argument in support thereof.

Ex parte: In the matter of the State of Alabama	Mr. John T. Morgan, of counsel for the petitioners,
12 Original. Petitioners.	asked and obtained

leave to file a petition for Writs of Habeas Corpus and Certiorari in this cause and submitted the same to the consideration of the Court on printed argument in support thereof.

Friday December 16th 1881, continued

176 Charles T. Root, Executor &c. vs. The Lake Shore & Michigan Southern Railway Co. Appellant.

The argument of this cause was concluded by Mr. Albert H. Walker, of counsel for the appellant

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95 The Union Paper Bag Machine Co. et al., vs. Thomas R. Nixon et al. Appellants.

181 Morris R. Nixon et al vs. The Union Paper Bag Machine Company. Appellants.

96 The Union Paper Bag Machine Company et al., vs. Thomas Nixon Appellants.

and

182 Thomas Nixon vs. The Union Paper Bag Machine Co. et al. Appellant.

The argument of these cases was commenced by Mr. George Harding, of counsel for the appellants in Nos. 95 & 96, and the appellees in Nos. 181 & 182, and continued by Mr. C. H. Kilbreth, and Mr. James Moore, of counsel for the appellees in Nos. 95 & 96, and the appellants in Nos. 181 & 182.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday December 19th 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices.

John G. Nicolay Esquire, Marshal
James M. McKenney Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. A. G. Thurman, it is ordered that D. F. Kaufman, Esquire, of Des Moines, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton, it

is ordered that Mayer Sulzberger Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Phillips, it is ordered that Joseph Wheeler, Esquire, of Wheeler, Lawrence County, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William Libbey & George Fox survivors of Alexander G. Stewart and Francis Warden, deceased, Plffs. in Error. vs. Lewis C. Hopkins & Mariah Hopkins, and Isaac M. Jordan, trustee in bankruptcy of Lewis C. Hopkins.	In Error to the Supreme Court of the State of Ohio

175

This cause came on to be heard on the transcript of the record from the Su-

Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods

1005	The Town of Louisville vs. Kiff. in Error. The Portsmouth Savings Bank.	In Error to the Circuit Court of the United States for the Southern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the

State of Illinois.

per Mr Justice Harlan.

Dissenting:
Mr. Justice Bradley
" " Miller

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64 | Ruth Eliza Thompson, Plff in Error vs. The Knickerbocker Life Insurance Company. | In Error to the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Bradley.

145	William N. Wood vs. The Burlington & Missouri River Railroad Company in Nebraska.	Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

167	Josiah N. Saulier and Charles C. Gregory as N. Saulier Company vs. Chester A. Arthur, Collector of the Port of New York.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the

Transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment for the plaintiffs for the amount of duties paid with legal interest and costs.

per Mr. Justice Field.

Ex parte: In the matter of William H. Hodden and Willis S. Hall, Petitioners } Petition for a Writ of Mandamus.

3 Original.

On consideration of the petition for a Writ of Mandamus in this cause and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by this Court that

said petition be, and the same is hereby denied.

per Mr Chief Justice Waite.

13	James F. Wood vs Dis. and Circ. Joseph H. Theimar.	In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs, And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to order a judgment in favor of James F. Wood for the costs of the suit, and against him for only one thousand, four hundred and eighty-two dollars and

ninety-eight cents ($1,432.98). the difference between the value of the mortgaged property as agreed upon, and the amount due on the mortgage debt including the amount adjudged in his favor below and the Elizabeth Stewart note. the judgment to be rendered be that interest from and after the twelfth day of June 1873

per Mr Chief Justice Waite.

U. de Rosset Lamar, Executor of Lucius Q. C. Lamar, deceased,	Appeal from the Circuit Court of the United States for the Southern District of New York.
498 vs. Appellant.	
Mary J. C. Green, Administratrix of Ann E. Sims, deceased.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this

Court, that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per the Chief Justice Waite.

Ex parte: In the matter of Thos M. Rowland, J. C. Smith and P. C. Tennant, Petitioners. } Petition for Writs of Habeas Corpus and Certiorari.

11 Original

On consideration of the petition of Peter M. Rowland J. C. Smith and P. C. Tennant- It is hereby ordered that cause be shown by the Marshal of the United States for the Middle and Southern Districts of Alabama before this Court at Washington, in the District of Columbia, on the 9th day of January, 1882, at 12 oclock noon of that day, or as soon thereafter as counsel can be heard, why a writ of Habeas Corpus should not issue as prayed in said petition.

per the Chief Justice Waite.

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12 Original	Ex parte. In the matter of The State of Alabama Petitioner	Petition for writs of Habeas Corpus & Certiorari.

On consideration of the petition of the State of Alabama, It is hereby ordered that cause be shown by the Marshal of the United States for the Middle and Southern Districts of Alabama, upon this Court at Washington, in the District of Columbia on the 9th day of January, 1882, at 12 o'clock noon of that day or as soon thereafter as counsel can be heard, why a writ of Habeas Corpus should not issue as prayed in said petition

per Mr. Chief Justice Waite.

193	The Spring Valley Works, Plff in Error vs. Antone Schottler et al	On consideration of the motion to advance this cause - It is ordered that said motion be, and the same is hereby, denied

per Mr. Chief Justice Waite.

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501 The Memphis & St. Louis Railroad Company vs. Plff. in Error. John R. Sapington, Collector of Jackson County

On consideration of the motion to advance this cause, It is ordered that said motion be, and the same is hereby, granted and the case is assigned for argument next after No 61 assigned for argument at foot of day calendar for the second Monday in March next.

per Mr. Chief Justice Waite.

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458 The St. Louis Smelting & Refining Company vs. Plff. in Error. Thomas Kemp et al.

and

459 The St. Louis Smelting & Refining Company vs. Plff. in Error Sarah Kay et al.

On motion of Mr. A. J. Thurman, leave is hereby granted to William H. Stevens and Levi J. Leiter to be heard by counsel in the argument of these cases.

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693 Joseph A. Thatcher et al. vs. Plff. in Error Watson B. Rockwell.

On motion of Mr. H. M. Teller, of counsel for

the plaintiffs in error, leave is hereby granted to file a copy of the opinion of the Supreme Court of the State of Colorado and the original Writ of Error in this cause, subject to any objection that may be made by the defendant in error.

Ex parte: In the matter of Samuel Floyd Hoard and The Creede Cemetery Association

10 Original. Petitioners.

On motion of Mr. H. J. Robertson, Ordered that the argument on the return to the rule in this cause be, and the same is hereby, postponed for the present.

William E. Hall, Collector of Jasper County,
vs. Plff. in Error.
John E. Hoff

and

William E. Hall, Collector of Jasper County,
vs. Plff. in Error.
John E. Hoff.

Mr. A. C. Riddecombe of counsel for the defendant in error in these cases, presented certificates of the Clerk of the Circuit Court of the United

States for the Western District of Missouri, and record the Court to docket and dismiss these cases pursuant to the 6th rule. Whereupon this Court not being now sufficiently advised of and concerning what order to under in the premises took time to consider.

177	Jno. N. Koon et al, Plffs. in Error. vs. The Phoenix Mutual Life Insurance Company.	On motion of Mr. Fillmore Beall, on behalf of counsel, leave is hereby granted the Clerk to issue the Mandate in this cause.

15	J. N. Fechtenburg & Co Appellants vs. The Dark Woodland &c.	On motion of Mr. Fillmore Beall, on behalf of counsel, leave is hereby granted the Clerk to issue the Mandate in this cause.

272	Leonard Rothgeber Appellant. vs. The Travelers Ins. Co.	On motion of Mr. Fillmore Beall, on behalf of counsel,

leave is hereby granted the Clerk to issue the Mandate in this cause.

138	Thomas M. Elmer et al. vs. Plffs. in Error. Henry N. Jones et al.	The motion to dismiss the writ of error or affirm the judgment

in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. T. J. Durant and Mr. C. H. Horner, in support of the same, and by Mr. J. P. Phillips, in opposition thereto.

166	The Factors & Traders Insurance Company vs. Plff. in Error Rhoda Mary Murphy et al.	The motion to dismiss the writ of error or affirm the judgment in this cause was

submitted to the consideration of the Court on the record and printed arguments by Mr. T. J. Durant and Mr. C. H. Horner, in support of the same, and by Mr. J. L. Hall and Mr. J. P. Phillips, in opposition thereto.

1041 | Marshall N. Fortescue et al vs Writ of Error George N. Hosford, Executor. | The motion to dismiss the writ of error or affirm the judgment in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. F. J. Durant and Mr. J. H. Turner, in support of the same, and by Mr. D. L. Yeaman, in opposition thereto.

1061 | Vincent Thomas vs Writ of Error Otho R. Williams Executor &c. | The motion to dismiss the writ of error or affirm the judgment in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph H. Turner, in support of the same, and by Mr. F. J. Durant, in opposition thereto.

	The Union Paper Bag Machine Company et al.	The argument of these cases was continued by Mr. James Moore, of counsel for the appellees, in Nos. 95 & 96 and the appellants in Nos. 181 & 182, and concluded by Mr. George Harding, of counsel for the appellants in Nos. 95 & 96 and the appellees in Nos. 181 & 182.
95	vs. Appellants	
	Thomas N. Nixon et al.	
	Morris N. Nixon et al.	
181	vs. Appellants.	
	The Union Paper Bag Machine Company	
	The Union Paper Bag Machine Company et al.	
96	vs. Appellants.	
	Thomas Nixon and Thomas Nixon,	
182	vs. Appellant.	
	The Union Paper Bag Machine Company et al.	

	William N. Evans et al.	This cause was submitted to the consideration of the
180	vs. Plffs. in Error	
	The Mayor &c. of Nashville.	

Court on the record and printed argument by Mr. H. K. McAlister jr. and Mr. A. McT. Smith, of counsel for the

defendants in error. No counsel appearing for the plaintiffs in error.

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177 | Andrew J. Davis et al., Appellants. vs. Sarah J. Fredericks. | This cause was argued by Mr. R. J. Merrick, of counsel for the appellants, and by Mr. Samuel Shellabarger, of counsel for the appellee.

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178 | Andrew J. Davis et al. Plffs. in Error. vs. Sarah J. Fredericks et al. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. J. Merrick and Mr. M. F. Morris, of counsel for the plaintiffs in error, and by Mr. Samuel Shellabarger and Mr. J. M. Wilson, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday December 20th 1881.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices.
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
Stanley Matthews	

John F. Nicolay Esqure, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. E. N. Valentine, it is ordered that C. J. Phillips, Esqure of Schuyler, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

N. N. Burley, Assignee &c. Appellant. vs. Thompson J. S. Flint.	Mr. N. H. Garnett, of counsel for the appellee,

5414

suggested the death of Thompson J. S. Flint, the appellee in this cause and moved the Court for leave to enter the appearance of James L. Flint, Executor of Thompson J. S. Flint, as the party appellee in this cause. Whereupon, It is ordered that said James L. Flint, Executor of Thompson J. S. Flint, deceased, as aforesaid, be, and he is hereby, entered and made the party appellee in this cause.

390

The Cook County National Bank et al, vs. Appellants. The United States

On motion of Mr. Solicitor General Phillips, of counsel for the appellee, It is ordered that order entered in this cause on the 7th day of November advancing this cause and assigning the same for argument on the second Monday in January next be, and the same is hereby, rescinded and annulled and the case restored to its place on the docket.

1170	Thaddeus H. Spindle, Assignee &c. vs. Charles H. Shreve et al.	Appellant	On motion of Mr. H. A. McKenney, of counsel for the appellees, and it appearing to the Court that the decree entered by this Court on the 6th day of December, was improvidently entered— It is ordered by the Court that the decree of this Court, docketing and dismissing this cause pursuant to the 9th rule, be, and the same is hereby, rescinded and annulled.

183	James Pott et al. vs. Plffs. in Error C. N. Arthur, Collector, &c.	This cause was argued by Mr. Edward Hartley, of counsel for the plaintiffs in error, and by Mr. Solicitor General Phillips, of counsel for the defendant in error.

66	Benjamin N. Allison et al. vs. The First National Bank of Montgomery	Appellants	The argument of this cause was commenced by Mr. S. Phillips, of counsel for the appellants, and continued by Mr.

H. A. Herbert and Mr. David Clopton, of counsel for the appellee, and by Mr. H. A. Sumter, of counsel for the appellants.
(Mr. Justice Woods did not sit during the argument of this cause.)

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday December 21st 1881

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Associate Justices.

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Charles H. Jones, it is ordered that E. A. Hanley, Esquire, of Pensacola, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Philip Phillips, it is ordered that Walter Fresham, Esquire, of

Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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199 James A. Cunningham
vs. Appellant
Frederick E. Ives et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. C. Dodd, of counsel for the appellant, and by Mr. J. Mason Brown, of counsel for the appellees, under the 20th rule.

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66 Benjamin N. Allison et al,
vs. Appellants.
The First National Bank of Montgomery.

The argument of this cause was concluded by Mr. H. A. Hunter, of counsel for the appellants.

(Mr. Justice Woods did not sit during the argument of this cause.)

Wednesday December 21st 1881, continued

140	Reuben G. Pollard et al, Plffs. in Error. vs. N. J. Linton and	These cases were argued by Mr. E. E. Anderson, of counsel for the plaintiffs in error, and by Mr. J. F. Dillon, of counsel for the defendants in error.
141	Reuben G. Pollard et al, Plffs. in Error. vs. The United States Mail Line Company.	

(Mr. Justice Harlan having been of counsel did not sit during the argument of these cases.)

144	John J. Stewart, Plff. in Error. vs. The Town of Lansing.	The argument of this cause was commenced by Mr. James A. Cox, of counsel for the plaintiff in error, and continued by Mr. Francis Kernan, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 22nd 1881

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph C. McDonald, it is ordered, that N. F. McNeal, Esquire, of Rock Island, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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109 Augustus Schell, late Collector, Plff in Error vs H. G. Ledyard et al.
110 " " " " " " " " " E. S. Sherman et al
111 " " " " " " " " " F. N. Clow et al.
115 C. C. & F. D. Redfield, Executors, Defts " " " " E. S. Sherman et al
119 " " " " " " " " " " H. S. Wilson et al

On motion of Mr. George A. Williams in behalf of counsel, leave is hereby granted the Clerk to issue the Mandates in these cases

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1181 The Jasper County Court & William E. Hall, Collector of said County Pls in Error vs John E. Hoff, Relator

Mr. J. C. Riddlecombe, of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"Circuit Court of the United States for the Eastern Division of the Western District of Missouri.

I, H. C. Geisberg, Clerk of the Circuit Court of the United States for the Western District of Missouri, do hereby certify that in a certain cause pending in said Court wherein John E. Hoff was relator and the Jasper

County Court and William E. Hall, Collector of said County were respondents, on 1332, a judgment was rendered by said Circuit Court on the 19th day of November A.D. 1881, in favor of said relator, and against said respondent William E. Hall, Collector as aforesaid, and that on the 22nd day of December A.D. 1881, said William E. Hall sued out a writ of error which was duly allowed.

In testimony whereof, I hereunto subscribe my name and affix the seal of said Circuit Court at the City of Jefferson in said District this 15th day of December A.D. 1881.

(Seal)

N. C. Seasberg
Clerk U. S. Circuit Court
Western District of Missouri.

And having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, moved the Court, in pursuance of the 9th rule, to have

this writ of error docketed and dismissed. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Western District of Missouri be, and the same is hereby, docketed and dismissed with costs, And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1182

In Jasper County Court
of William C. Hail, Collector of said County,
vs. Plffs. in Error.
John C. Hazlewood.

Mr. N. C. Biddiscombe, of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

Circuit Court of the United States in the Eastern Division of the Western District of Missouri.

I, N. C. Geiser, Clerk of the Circuit Court of the United States for the Western

District of Missouri, do hereby certify that in a certain cause pending in said Court wherein John C. Hoff was Relator and the Jasper County Court and William E. Hall, Collector of said County were respondents, on the 1883, a judgment was rendered by said Circuit Court on the 19th day of November, A. D. 1881, in favor of said Relator, and against said respondent William E. Hall, Collector as aforesaid, and that on the 1st day of December A. D. 1881 said William E. Hall sued out a writ of error which was duly allowed.

In testimony whereof, I have hereunto subscribe my name and affix the seal of said Circuit Court at the City of Jefferson, in said District this 15th day of December A. D. 1881.

(Seal)

N. C. Geisberg
Clerk U. S. Circuit Court
Western District of Missouri

And having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, moved the

Court, in pursuance of the 9th rule, to have this writ of error, docketed and dismissed - On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause to the Circuit Court of the United States for the Western District of Missouri be, and the same is hereby, docketed and dismissed with costs; And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice,

per Mr. Chief Justice Waite.

1183

Jonathan A. Burke, Janet Burke, Henry M. Jarvis, Elizabeth Lucken, George Lang, Daniel S. Rutherford, Nathan N. Hoyt, Philip Rutherford, M. Thorsenfeldt & Wm. Moore Jr., Pltfs. in Error.
vs.
C. C. Hoyd, and N. Stafford & James Cruikshanks.

Mr. Gillmore Seals, of counsel for the defendants in error, having filed in open Court the following certificate, to wit:

"United States of America -

District Court of the United States for the District of West Virginia – ss:

C. E. Hood, Paul A. Sheffard, and James Cruikshank, Pltfs.

vs.

Jonathan H. Burk, Jacob Burk, Henry M. Jack, Elizabeth Luckey, George J. Lang, Daniel S. Rutherford, Nathan N. Hunt, Philip Rutherford, M. Hensenpelt and William Moore, Senior, Dfts. } In Ejectment.

I, Jasper T. Moore, Clerk of the District Court of the United States for the District of West Virginia do hereby certify that in a cause pending in said Court wherein C. E. Hood, Paul A. Sheffard, and James Cruikshank, were plaintiffs and Jonathan H. Burke, Jacob Burke, Henry M. Jack, Elizabeth Luckey, George J. Lang, Daniel S. Rutherford, Nathan N. Hunt, Philip Rutherford, M. Hensenpelt, and William Moore, Senior, were defendants, a judgment was ren-

dered in said cause on the 9th day of December 1880, in favor of the said plaintiffs and against the said defendants: Thereupon the said defendants sued out a Writ of Error to the Supreme Court of the United States, which was allowed on the 16th day of February A.D. 1881, and a Citation issued and Bond filed on same day.

In testimony whereof, I here to set my hand and the seal of said Court at Clarksburg in said District this 15th day of December A.D. 1881, and in the 106th year of the Independence of the United States of America

(Seal)

Jasper T. Moon, Clerk
D.C.U.S.D.W.Va."

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, moved the Court, in pursuance of the

9th rule, to have this writ of error, docketed and dismissed. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause to the District Court of the United States for the District of West Virginia be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said District Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

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184 John J. Stewart vs. Plff in Error. The Town of Lansing. | The argument of this cause was continued by Mr. Francis Kernan, of counsel for the defendant in error, and concluded by Mr. James A. Cox, of counsel for the plaintiff in error.

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185 Nails County vs. Plff in Error. Joseph M. Douglass. | Ordered by the Court that this cause be, and the same is

Sunday, passed to be signed with M. 2nd per Stipulation of counsel.

186	Peter Jones et al, vs. Hyde in Error. John and Mary E. Buskell.	This cause was argued by Mr H. S. Beach, of counsel for the plaintiffs in error, and by Mr. C. H. Jones of counsel for the defendants in error.

187	The Pittsburgh, Cincinnati & St Louis Railway Co. vs. The United States. Appellant.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute its appeal, and failing to appear. It is, thereupon, in pursuance of the 16th rule of this Court and on the motion of Mr. Solicitor General Phillips, of counsel for the appellee,

new trial ordered and adjudged by this Court, that this cause be, and the same is hereby, dismissed; And that this cause be, and the same is hereby, remanded to the said Court of Claims to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

	Robert L. Bradley's Admr,	This cause was
114	vs. Appellant.	argued by Mr.
	The United States.	W. E. Hoyt, of
		counsel for the

appellant, and by Mr. Solicitor General Phillips, of counsel for the appellee.

	Charles Murphy	This cause was submit-
115	vs. Appellant.	ted to the consideration
	The United States.	of the Court on the

record and printed arguments by Mr. J. H. Denver & Mr. L. T. Pike, of counsel for the appellant, and by Mr. Solicitor General Phillips & Mr. John S. Blair, of counsel for the appellee, under the 20th rule.

Thursday December 22nd 1881, continued

Proclamation being made the Court is adjourned until Wednesday, January 4th, 1882, at twelve o'clock

Wednesday January 4th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. N. S. Seal, it is ordered that A. C. Thompson, Esquire, of Portsmouth, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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309 The American Middlings Purifier Company
vs. Appellant
The Atlantic Milling Co.
and
310 The American Middlings Purifier Company
vs. Appellant
John N. Christian & Co.

On motion of Mr. R. Mason, of counsel for the appellant, leave is hereby granted the Clerk to issue the Mandates in these cases.

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344 N. N. Burley, Assignee &c.
vs. Appellant
James L. Flint, Executor of W. J. S. Flint, deceased.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. F. N. Kales, of counsel for the appellant, and by Mr. B. D. McCagg, of counsel for the appellee, under the 21st rule.

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167 M. N. Rosenblatt, Collector &c.
vs. Appellant
H. S. Johnston, Receiver &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Leverett Bell, of counsel

for the appellant, and by Mr. J. M. Krum and Mr. C. N. Krum, of counsel for the appellee, under the 20th rule.

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113 The City of St. Louis, appellant vs. The Knapp, Stout & Co. Company.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Leverett Bell, of counsel for the appellant, and by Mr. J. M. Krum, and Mr. C. N. Krum, of counsel for the appellee, under the 20th rule.

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117 Matthew Goltfried appellant vs. Frederick Miller.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Ephraim Banning and Mr. Thomas N. Banning, of counsel for the appellant, and by Mr. E. N. Atwell, of counsel for the appellee, under the 20th rule.

187	C. P. Huntington vs. Jas. C. Palmer Tax Coll'r &c., et al	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Hall McAllister and Mr. Harry Brown, of counsel for the appellant, and by Mr. Alfred Barlow, of counsel for the appellees, under the 20th rule.

189	The Township of New Buffalo, vs. The Cambria Iron Company	In Error. This cause was argued by Mr. N. H. Swayne, of counsel for the plaintiff in error, and by Mr. W. J. Smedley, of counsel for the defendant in error.

190	William W. Lewis, vs. Jacob Rose & Matthew Graff.	Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the

Wednesday January 4th 1882 continued

transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute his appeal, and failing to appear. It is, thereupon, in pursuance of the 16th rule of this Court, and on the motion of Mr. William Jakewell, of counsel for the appellees, now here ordered, adjudged and decreed by this Court, that this cause be, and the same is hereby, dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

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191 | Basil H. Harwood, Admr &c. vs. George Davis et al | Plff. in Error. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. B. Foraker, of counsel for the plaintiff in error, and by Mr. A. C. Thompson, of counsel for the defendant in error.

Wednesday January 11th 1882 continued

N. O. Britton, Surviving partner of Britton & Koontz 192 vs. Plff in Error Robert Ricaults	This cause was argued by Mr. James Lowndes of counsel for the plaintiff in error,

and by Mr. J. K. Chalmers, of counsel for the defendant in error.

John L. Heald, 193 vs. Plff in Error Harvey H. Rice.	The argument of this cause was commenced by Mr. George Harding of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday January 5th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief justice.

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate justices

John G. Nicolay Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

The Honorable Benjamin Harris Brewster appeared and produced the following Letters Patent which were ordered to be recorded.

Chester A. Arthur

President of the United States of America.

To all who shall see these presents, Greeting:

Know Ye, That reposing special trust and confidence in the patriotism, Integrity and Abilities of Benjamin Harris Brewster, of Pennsylvania, I have nominated, and by

and with the advice and consent of the Senate, do appoint him to be Attorney General of the United States; and do authorize and empower him to execute and fulfil the duties of that Office according to law and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto him the said Benjamin Harris Brewster, subject to the conditions prescribed by law.

In testimony whereof, I have caused these Letters to be made Patent and the seal of the United States to be hereunto affixed. Given under my hand, at the City of Washington, the nineteenth day of December, in the year of our Lord one thousand, eight hundred and eighty-one, and of the Independence of the United States of America the one hundred and sixth.

(Seal)

Thursday January 5th 1882, continued

Chester A. Arthur.

By the President
Fred'k T. Frelinghuysen
Secretary of State

On motion first made to the Court in this behalf by Mr. A. P. Culver, it is ordered that H. J. Culver, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Harding, it is ordered that Henry H. Lightfoot Esquire, of Paris, State of Texas, be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

Thursday January 5th 1854 continued

William J. Fallen, Coll^r of Internal Revenue, Pl^ff in Error. vs. William Hoffman, William H. Sommers and John H. Rison, Administrator of Francis J. Kitler, deceased	In Error to the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Taney

1155 Joseph Enright vs. Plff in Error. / Harvey W. Rice. | Wm. M. A. Wheaton, Esq counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"In the Supreme Court of the United States.

Joseph Enright
Plaintiff in Error
vs.
Harvey W. Rice
Defendant in Error

I, Lorenzo S. Sawyer, Clerk of the Circuit Court of the United States for the District of California, do hereby certify that judgment was entered in the suit above entitled in said Circuit Court on the 22nd day of January A.D. 1875, in favor of defendant in error, that thereafter to wit, on the 21 day of January A.D. 1880, plaintiff in error filed an undertaking in said Circuit Court which was duly approved by Hon. Lorenzo Sawyer Circuit judge, and thereupon a writ of error was duly sued out and allowed and citation issued made returnable in the United States Supreme Court on the

second Monday of October A. D. 1881.
Further citing that no transcript in
error has at any time since the said 21st
day of January A.D. 1881, been ordered by
said plaintiff in error and that the par-
ties plaintiff in error and defendant in
error herein above named are the only par-
ties to said action.

Witness my hand and the
seal of said Circuit Court
this 5th day of December A.D.
1881

L. S. B. Sawyer
by J. F. O'Beirne
Deputy Clerk"

and having stated that the plaintiff in
error had altogether failed to file the rec-
ord of said cause in this Court or in any
way to prosecute said writ of error, moved
the Court, in pursuance of the 9th rule,
to have this writ of error docketed and
dismissed - On consideration whereof,
It is now here ordered and adjudged
by this Court, that the writ of error in
this cause to the Circuit Court of the

United States for the District of California, &c, and the same is hereby docketed and dismissed with costs; And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite.

143	John L. Heald vs Plff in Error Harry H. Lee.	The argument of this cause was continued by Mr. W. A. Wheaton, of counsel for the defendant in error, and concluded by Mr. George Harding, of counsel for the plaintiff in error.

194	The Chicago, Milwaukee & St. Paul Railway Co. vs. The United States Appellant	Ordered by the Court that these cases be, and the same are hereby, passed to be heard after No. 224.
195	And The United States vs. The Chicago, Milwaukee & St. Paul Railway Co. Appellant	

196	Christian Worby et al. vs. The Lake Torpedo Co. et al. Appellants.	This cause was argued by Mr. N. H. Parkinson, of counsel for the appellants. No counsel appearing for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 6th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
} Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr C. J. Miller, it is ordered that Jonas Seely Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr H. J. Johnston, it is ordered that George H. Hey Esquire, of

Syracuse, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Henry L. Dawes, it is ordered that Wm F. H. Lowe, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr Wm A. Wiley, it is ordered that William Marshall, Esquire, of Fremont, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

868	The Chicago, St. Louis & New Orleans R. R. Co. vs. Aff. in Error. The Mississippi Valley Co.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. P. Harris and Mr. J. F. Campbell, of counsel for the plaintiff in error, and by Mr Wayne MacVeagh and Mr. Henry Craft, of counsel for the defendant in error under the 20th rule.

1070	The United States vs. Appellant. The Pacific Mail Steamship Company	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Phillips, and Mr. John S. Hart, of counsel for the appellant, and by Mr. John F. Farnsworth and Mr. H. C. Chandler, of counsel for the appellee, under the 20th rule.

177	John N. Cushing et al, Appellants. vs. John Laird, the younger, J. P. Giraud Foster & James Thomson, Garnishees And J. P. Giraud Foster and James Thomson, Garnishees, Appellants. vs. John N. Cushing et al	Ordered by the Court that this cause be, and the same are hereby, assigned for argument at the head of the call for the 23rd day of January and that they be argued as one case.

198	Jacob S. Merritt vs. Appellant John N. Dice	This cause was argued by Mr. W. T. Colyar, of counsel for the appellee, and submitted on printed arguments by Mr. M. L. Gray, of counsel for the appellant.

200	The United States vs. Plff. in Error. M. & E. Myers et al.	In Error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and on the motion of Mr. J. S. Rose, of counsel for the defendants in error, and authority of Mr. Solicitor General Phillips, of counsel for plaintiff in error, on file. It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr Chief Justice Waite.

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702 John H. Gosling, vs. Appellant. John Roberts.

Ordered by the Court that this cause be, and the same is hereby passed, and not to be entered to the call at the present term except upon application to the Court, and then only for submission upon printed arguments.

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203 Joseph Lehmbecker et al vs Appellants. Arnold Matthaus et al	This cause was argued by Mr. R. N. Parkinson, of counsel for the appellants. No counsel appearing for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 9th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justice

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened.

The Honorable Horace Gray appeared and produced the following Letters Patent and Oath of Office which were read in open Court and ordered to be recorded upon the minutes, in the following words, viz:

Chester A. Arthur,
President of the United States of America,
To all who shall see these Presents,

Greeting:

Know Ye, That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Horace Gray of Massachusetts, I have nominated and, by and with the advice and consent of the Senate, do appoint him to be Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Horace Gray, during his good behavior.

In testimony whereof, I have caused these Letters to be made Patent and the seal of the United States to be hereunto affixed. Given under my hand at the City of Washington, the twentieth day of December,

in the year of our
Lord one thousand, eight
hundred and eighty-one,
and of the Independence
of the United States of
America the one hundred
and sixth.

(Seal)

Chester A. Arthur

By the President
Fredk T. Frelinghuysen,
Secretary of State.

I, Horace Gray, do solemnly swear that I will
administer justice without respect to persons
and do equal right to the poor and to the
rich, and that I will faithfully and impar-
tially discharge and perform all the duties
incumbent on me as an Associate Justice
of the Supreme Court of the United States
according to the best of my abilities and under-
standing agreeably to the Constitution and
Laws of the United States. So help me God.

Horace Gray.

Subscribed and sworn to
before me this 9th day of

Monday, January 9th 1882, continued

January A.D. 1882

James H. McKenney,
Clerk Supreme Court of the United States.

I, Horace Gray, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement, to persons engaged in armed hostility thereto, that I have neither sought nor accepted, nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution, within the United States, hostile or inimical thereto. And I do further swear that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation

or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter.
So help me God. Horace Gray.

Subscribed and sworn to
before me this 9 day of
Jany, A.D. 1882
M.R. Waite
Chief justice of the United States.

On motion first made to the Court in this behalf by Mr. J. C. Broadhead, it is ordered that Frank J. Donovan, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. M. Patterson, it is ordered that F. A. Green, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Solicitor General Phillips, it is ordered that John T. Athens, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Rodney Mason, it is ordered that Albert L. Lee, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Samuel Nelson, impleaded with Charles H. Smith	vs.	Appeal from the Supreme Court of the Territory of Utah
15 Wells, Fargo & Company	Appellant.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Supreme Court, in this cause be, and the same is

hereby, affirmed with costs,

per Mr. Justice Matthews.

11	Henry H. Hoes, Appellant. vs. The City of Chicago.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods

Mr. Justice Field was not present at the argument and took no part in the decision of this cause.

Monday January 9th 1854, continued

171	John J. Vinton John Fisher, Thomas C. Blunt and William Mc Elroy, vs Homer Hamilton, Frederick Herring John Hamsaugh & William Todd. Appellants	Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs

per Mr. Justice Woods.

Mr. Justice Matthews was not present at the argument and took no part in the decision of this cause.

170

George K. Davis & Co et al
vs
S. Friedlander, Julius Hirsh, & L. Lithauer, partners as Friedlander, Hirsh & Company

Appellants.

Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the petition of Friedlander, Hirsh & Co. filed in the District Court, sitting in bankruptcy, with costs to the present appellants, but without prejudice to any claim they may assert, by any proper proceedings in a Court of competent jurisdiction, to

to a prior lien as against appellants, or others, upon the property levied upon by the attachment in the Law Court of Memphis.

per Mr. Justice Harlan

Edward Miller & Company, Appellants 31 vs The Bridgport Brass Co.	Appeal from the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

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65 Nathan C. Draper, Appellant vs. Anthony Hyde, Catharine S. Forrest, Henry S. Davis, Johnson P. Thomas, Sarah J. Thomas, Charles Linder and Edward Champlin

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr justice Bradley.

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159 David S. Draper Plff in Error vs. The Town of Springport

In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the tran-

script of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs, And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial

per Mr. Justice Bradley

Thomas L. James
650 vs. Appellant.
Christopher C. Campbell,
Charles Eddy, Horace G.
Caswell & Samuel R. Clarkson.
Samuel R. Clarkson
767 vs. Appellant
Christopher C. Campbell,
Assignee &c. Thomas L.
James, Horace G. Caswell,
Charles Eddy, & Charles
Eddy as Trustee, for H. G.
Caswell, & Samuel R. Clarkson,
and
Christopher C. Campbell,
Assignee &c.,
769 vs. Appellant
Thomas L. James, Charles
Eddy, Horace G. Caswell
& Samuel R. Clarkson.

Appeals from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, on appeal and cross-appeals,

and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby reversed; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill. In No 63, the costs in this Court to be paid by the appellees. In No. 767, each party to pay their own costs, and in No 769, the costs to be paid by the appellant except as to the appellees other than Thomas L. James who are to pay their own costs

per Mr. Justice Bradley

Dissenting:
Mr. Justice Miller.

163	Hiram Quimby, Plff. in Error, vs. Andrew Conlan	In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was

argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

1130

The Bank of Commerce, Plff in Error
vs.
The State of Tennessee, The County of Shelby, C.L. McGowan & George D. Rice, County Trustee, & The Taxing District of Shelby County

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Lucretia Bronson, Executrix
of S. C. Bronson, deceased, late
Collector of the Port of New York,
167 vs. Plff. in Error
John H. Schulten and
Chauncey L. Reed.

In Error to
the Circuit
Court of the
United States
for the South-
ern District
of New York.

This cause came on to be heard on the tran-
script of the record from the Circuit Court
of the United States for the Southern Dis-
trict of New York, and was argued by coun-
sel. On consideration whereof, It is now here
ordered and adjudged by this Court, that
the judgment of the said Circuit Court,
in this cause be, and the same is hereby,
reversed with costs; And that this cause be,
and the same is hereby, remanded to the
said Circuit Court with directions to set
aside the order vacating the original judg-
ment and to over-rule the motion on
which that order was made.

per Mr. Justice Miller.

Lucretia Bronson, Executrix of J. D. Bronson, deceased, late Collector of the Port of New York.

108 vs. Pff. in Error.

William Loesergh, Otto Wesendonck and Anthony Schepes.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the order vacating the original judgment and to overrule the motion on which that order was made.

per Mr Justice Miller

112

Augustus Schell late Collector, &c.
vs
Edward Harburg and Julius Goetz.

Pltff in Error

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the order vacating the original judgment and to overrule the motion on which that order was made

per Mr. Justice Miller.

Monday January 9th 1882, continued

	Augustus Schell, late Collector &c.	In Error to the Circuit Court of the United States for the Southern District of New York.
113	vs. Appl in Error.	
	Louis Grossman, surviving partner of Grossmans Bros.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs, And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the order vacating the original judgment and to overrule the motion on which that order was made

per Mr. Justice Miller.

Constance C. Redfield as Executrix of Frank S. Redfield as Executor of N. J. Redfield, deceased, late Collector, &c.

116 vs. } In Error to the Circuit Court of the United States for the Southern District of New York.

Armand La Chaise and Victor Fauché.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to set aside the order vacating the original judgment and to overrule the motion on which that order was made.

per Mr. Justice Miller.

Constance C. Redfield as Executrix & Frank D. Redfield as Executor of N. J. Redfield, deceased, late Collector, &c.

118 vs. Pltfs in Error.

Monarch Mitchell, Gideon Pell and James Pell.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs, And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the order vacating the original judgment and to overrule the motion on which that order was made.

per Mr. Justice Miller.

Ex parte. In the matter of Frederick Gordon Petitioner } Petition for a Writ of Prohibition.

5 Original.

On consideration of the petition for a Writ of Prohibition in this cause and of the argument of counsel thereupon had as well in support of as against the same - It is now here ordered by this Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Waite.

Ex parte: In the matter of The Detroit Iron Fence Co. Petitioners } Petition for a Writ of Prohibition.

4 Original.

On consideration of the petition for a Writ of Prohibition in this cause and of the argument of counsel thereupon had as well in support of as against the same - It is now here ordered by this Court that said petition be, and the same is hereby denied.

per Mr. Chief Justice Waite.

Ex parte In the matter of Walter F. Hagar, Petitioner.	}	Petition for a Writ of Prohibition
9 Original.		

On consideration of the petition for a Writ of Prohibition in this cause and of the argument of counsel thereupon had & recd in support of & against the same - It is now here ordered by this Court that said petition be, and the same is hereby, denied.

per Mr Chief Justice Waite.

The Pittsburgh, Cincinnati & St Louis Railway Co. et al. Appellants. vs. The Columbus, Chicago and Indiana Central Railway Co. et al.		On consideration of the Report of the Special Commissioner heretofore filed in this cause, It is now
346		

here ordered by the Court that said Report be, and the same is hereby, confirmed.

per Mr. Justice Harlan.

The Union Pacific R.R. Co. Appellant. vs. The United States		On motion of Mr. Solicitor General Phillips.
360		

of counsel for the appellee, Ordered by the Court that this cause be, and the same is hereby, advanced and assigned for argument on the 24th instant

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1143 Logan D. Swope vs. Iff. in Error Hiram H. Leffingwell et al.

The motion to dismiss the writ of error or affirm the judgment in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. F. Phillips, in support of the same, and by Mr. C. S. Sherer, in opposition thereto.

1112 Edward Burgess vs. Iff. in Error Joseph Seligman.

Mr. James D. Broadhead, of counsel for the defendant in error, suggested the death of Joseph Seligman the defendant in error in this cause, and moved the Court for leave to enter the appearance of Jesse Seligman, James Seligman and David J. Seligman, Executors of Joseph Seligman as the parties defendants in error in this

cause. Whereupon, it is ordered that said Jesse Seligman, James Seligman, and David J. Seligman, Executors of the said Joseph Seligman, deceased, as aforesaid, be, and they are hereby, entered and made the parties defendants in error in this cause.

Ex parte: In the matter of William T. Clayton, Petitioner

7 Original.

On motion of Mr. Alfred Russell, of counsel for the petitioner ordered that this cause be, and the same is hereby, re assigned for argument on the second Monday in March next after No. 501.

Vincent Illias, Pl. in Error

160 vs.

C. H. Williams, Executor &c.

On motion of Mr. S. F. Jonas, of counsel for the defendant in error. It is ordered that the transcript of record in this cause be corrected in accordance with the certificate of the Clerk of the Circuit Court herewith filed.

	Benjamin McKeyser et al	
125	vs. Appellants	the motion to
	Henry N. Farr et al	dismiss this cause

was submitted to the consideration of the Court on printed arguments by Mr H. Babbitt Phillips and Mr F. A. Maury, in support of the same, and by Mr. Hestes Stevens and Mr. N. C. Bradley, in opposition thereto.

	The State of New York	
6	Original vs. Complainant.	On motion of Mr.
	The State of Louisiana et al	Wm M. Duer, of coun-

sel for the complainant, and on the stipulation of counsel on file, It is ordered that the Answers of the State of New York, Hamilton Ward, Attorney General, and William M. Duer, to the Cross Bill of the State of Louisiana, filed in this cause, may be read on behalf of the complainant as testimony in this suit.

	Peter Jones et al.	
186	vs. Offs in Error	Mr. E. H. Horner asked
	John & Mary E. Buckell.	leave of the Court

to file a brief in this cause as amicus curia-

Thereupon, It is ordered that said motion be, and the same is hereby, denied.

146	James A. Loudon, Appellant vs. The City of Memphis	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William M. Randolph, of counsel for the appellant, and by Mr. Isham G. Harris, of counsel for the appellee, under the 20th rule.

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11 Original	Ex parte: In the matter of Peter M. Lowland et al Petitioners	Mr. John J. Morgan, of counsel for the petitioners, filed and submitted to the consideration of the Court, motion to suppress certain parts of the Return of the Marshal to the rule heretofore issued in this cause.
	and	
12 Original	Ex parte: In the matter of The State of Alabama Petitioners.	

195	The Spring Valley Works Plff. in Error vs. Antone Schottler et al.	This cause was submitted to the consideration of the

Court on the record and printed arguments by Mr. Charles A. Fox and Mr. George F. Edmunds, of counsel for the plaintiff in error, and by Mr. Alfred Barstow, of counsel for the defendants in error, under the 20th rule.

1047 | The City of Ottawa vs. Piff in Error. William H. Gary | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. B. Lawrence, of counsel for the plaintiff in error, and by Mr. G. S. Eldredge, of counsel for the defendant in error, under the 20th rule.

Monday January 9th 1882, continued

1085	The City of Ottawa vs. Pltff. in Error The First National Bank of Portsmouth, New Hampshire.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C.B. Lawrence, of counsel for the plaintiff in error, and by Mr. F.S. Eldredge, of counsel for the defendant in error, under the 20th rule.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 10th 1882

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices.

John F. Nicolay Esquire, Marshal

James H. McKenney, Clerk.

Proclamation being made the Court adjourned.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips it is ordered that William Barry, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	S. L. Saul, junior.	Mr Felix H. Reeves,
1188	vs	of counsel for the
	Pl'ff in Error.	defendants in error
	L. A. Carpenter, F. M.	having filed in open
	Kelly, H. B. Fountain,	Court the following
	& The Knoxville Fire	certificate, to wit:
	Insurance Company.	

"United States of America
Circuit Court Clerks Office
Eastern District of Tennessee } Ss.

I, N. L. Nunes, Clerk of the United States Circuit Court for the Eastern District of Tennessee, do hereby certify that in a cause lately pending in said Court wherein S. L. Saul jr. is plaintiff, and L. A. Carpenter, F. M. Kelly, H. B. Fountain, and The Knoxville Fire Insurance Company are defendants, judgment was rendered by said Court on the 27th day of September 1880, against the plaintiff and in favor of the defendants. And I do further certify that the said plaintiff within the time prescribed by law sued out a writ of error to the next term of the Supreme Court of the United States to be held at Washington on the second Mon-

day of October 1881, which said writ of error was allowed by the Hon D. M. Key, District Judge sitting as Circuit Judge, and bond was executed by the plaintiff in error for the prosecution of the writ and properly approved and filed.

In testimony whereof I hereto subscribe my name officially and affix the seal of said Court at Knoxville, within said District on this the 20th day of December 1881

(Seal)

A. R. Humes, Clerk"

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, moved the Court, in pursuance of the 9th rule, to have this writ of error docketed and dismissed. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause to the Circuit Court of the United States for the Eastern District of Tennessee be, and the same is hereby, docketed and dismissed with costs; And

that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite.

R. J. Williams and C. J. Tarbell

1189 vs. Appellants.

M. C. Wilcox, C. W. Wilcox, J. A. Mariner, C. F. Lord, and M. Nes, partners under the firm name of M. C. Wilcox & Company et al.

Mr Felix A. Reeve, of counsel for the appellees, having filed in open Court the following certificate, to wit:

"United States of America
Circuit Court Clerk's Office
Eastern District of Tennessee
Sixth Judicial Circuit } ss.

W. C. Wilcox, C. C. Wilcox, P. K. Wilcox, E. A. Reed, and W. Lee, partners under the firm-name of W. C. Wilcox & Company,

vs.

The East Tennessee Zinc Company, a Corporation created under the laws of the State of New York, and A. S. Williams and George S. Barbee.

No. 439

John F. Rhoton, H. F. Wendenhall, partners under the firm-name of Rhoton, Wendenhall & Company, William Jones, George N. Jones and F. M. Churchman, partners under the firm-name of Jones, Son & Company, and Robert Ashmore

vs.

Same.

No. 440.

John R. Brauner

vs

Same.

No. 441.

Samuel S. Newman, C. H. Cates, William Akens, Robert Watson, C. Hamilton, J. P. Murphy, S. H. Sal-
lenstall, N. Williams, Wm. Fore, M. S. Miller, John Rice, L. Griffin, Wm Kim, N. Rigsby, J. H. Parrott, H. N. Haller, Henry Hudgens, Parnell Dales, N. S. Larkin, John Seabolt, and George W. Seabolt

vs.

Same.

} No 1443.

Benjamin M. Brawner, J. R. Brawner, and John C. Johnston, partners under the firm-name of Brawner & Johnston

vs.

Same.

} No 1444.

H. J. Dillerton, N. N. Moore, and J. M. Everett, partners under the firm-name of Dillerton, Moore & Everett,

vs.

Same.

} No 1445.

Tuesday January 10th 1882, continued

J. M. Gore
vs.
Same.
} No. 446.

R. L. Watkins
vs.
Same.
} No. 447.

Robert N. Ashmore and John F. Rhoton and H. F. Mendenhall, partners under the firm name of Rhoton & Mendenhall.
vs.
Same
} No. 448

William S. Sizer
vs.
Same.
} No. 450.

I, N. R. Nunes, Clerk of the United States Circuit Court for the Eastern District of Tennessee, do hereby certify that on the above mentioned causes, consolidated and heard together under the name and style of M. C. Wilcox & Company et als vs The East

Tennessee Zinc Company et als, a decree was rendered by said Court, and entered of record on the 25th day of March 1881, in favor of the complainants and against the respondents; and that thereupon respondents R. M. Williams and W. J. Jarbell duly prayed an appeal from all orders and decrees in the said consolidated causes to the next term of the United States Supreme Court to be held on the second Monday of October, 1881, and filed a bond for the prosecution of the same.

In testimony whereof I hereto subscribe my name officially and affix the seal of said Court at Knoxville within said District on this the 4th day of January, 1882.

(Seal)

A. R. Humes, Clerk."—

and having stated that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed—On consideration whereof, It is

now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Tennessee be, and the same is hereby docketed and dismissed with costs, And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1137 The County of Moultrie, Plff in Error. vs. George B. Fairfield.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John R. Eden, of counsel for the plaintiff in error, and by Mr. C. J. Bailey and Mr. S. M. Cullom, of counsel for the defendant in error, under the 20th rule.

Ex parte: In the matter of
Peter M. Rowland et al.,
11 Original. Petitioners.

and

Ex parte: In the matter of
The State of Alabama;
12 Original. Petitioners.

The argument of these cases was commenced by Mr James L. Pugh, of counsel for the petitioners, continued by Mr. S. F. Rice, of counsel for the respondent, and concluded by Mr. John T. Morgan, of counsel for the petitioners.

Ex parte: In the matter of
Peter M. Rowland et al.,
11 Original. Petitioners.

and

Ex parte: In the matter of
The State of Alabama.
12 Original. Petitioner.

On motion of Mr. S. F. Rice, leave is hereby granted him to file a supplemental brief in these cases.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday January 11th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice
	Samuel F. Miller	Associate Justices.
	Stephen J. Field	
	Joseph P. Bradley	
	John M. Harlan	
	William B. Woods	
	Stanley Matthews	
	Horace Gray	
John F. Nicolay	Esquire,	Marshal
James H. McKenney		Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. S. Black, it is ordered that Samuel Watson, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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814 Charles E. Lewis, Plff. in Error.
vs.
The Board of County Commissioners of the County of Barbour.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Grant, of counsel for the plaintiff in error, and by Mr. E. Hilliss, Mr. Thomas F. Fenton and Mr. A. M. Fleming, of counsel for the defendant in error, under the 20th rule.

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201 Lincoln County, Plff. in Error.
vs.
Joseph M. Douglass.

This cause was argued by Mr. N. N. Cunningham, of counsel for the plaintiff in error, and by Mr. J. N. Overall, of counsel for the defendant in error.

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185 Ralls County, Plff. in Error.
vs.
Joseph M. Douglass.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. N. Cunningham, of counsel for the plaintiff in error, and by Mr. J. N. Overall, of counsel for the defendant in error.

204	Nannie N. Blair et al. Plffs in Error vs Franklin D. Gray.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. M. Otis of counsel for the plaintiffs in error, and by Mr. F. N. Kales, of counsel for the defendant in error.

205	Caroline N. Moores, Plff in Error vs The Citizens National Bank of Piqua.	The argument of this cause was commenced by Mr. E. H. Kittredge, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, January 12th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite	Chief Justice.
Samuel F. Miller	Associate Justices.
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
Stanley Matthews	
Horace Gray	

John F. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Alphonso Taft, it is ordered that Leland C. Calvin, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday January 12th 1882, Continued

1171	David Bright, Jesse H. Selby, N. Clements et al., Appellants vs. Adam Simbel & Jacob Simbel partners as A. Simbel & Son, & The Tuscarawas National Bank.	Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and on the stipulation of counsel on file stating that the matters in controversy in this cause have been agreed and settled between the parties and on the motion of Wm. H. Springer, of counsel for the appellants, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed. Costs in this Court to be paid by appellants.

1187	Amelia Bennecke, Plff. in Error. vs. The Connecticut Mutual Life Insurance Company.	This cause was submitted to the consideration of the Court on the record

and printed arguments by Mr. William N. McKenney, of counsel for the plaintiff in error, and by Mr. Edward S. Isham, of counsel for the defendant in error, under the 20th rule.

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205 Carolina N. Moores
vs. Pltff. in Error.
The Citizens National Bank of Piqua.

The argument of this cause was continued by Mr. William M. Ramsey, of counsel for the defendant in error and concluded by Mr. Alphonso Taft, of counsel for the plaintiff in error.

Mr. Justice Matthews having been of counsel in this cause did not sit during the argument.

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206 John N. Young
vs. Pltff. in Error.
The American Steamship Co.

Mr. Henry Flanders, of counsel for the plaintiff in error, suggested the death of John N. Young, the plaintiff in error, in this cause, and moved the Court for leave to enter the appearance of Rebecca

N. Young, Executrix of John N. Young, as the party plaintiff in error in this cause. Whereupon, It is ordered that said Rebecca N. Young, Executrix of John N. Young, deceased, as aforesaid, be, and she is hereby, ordered and made the party plaintiff in error in this cause with liberty to prosecute this writ of error.

Rebecca N. Young, Executrix &c., vs. The American Steamship Company. 206 } Writ in Error

This cause was argued by Mr. Henry Flanders, of counsel for the plaintiff in error, and by Mr. Morton P. Henry, of counsel for the defendant in error.

H. N. Chatfield et al, vs. H. F. Boyle et al. 150 } Appellants

The argument of this cause was commenced by Mr. William M. Ramsey, of counsel for the appellants, and continued by Mr. J. H. Clapp, of counsel for the appellees.

Proclamation being made the Court is ad-

Friday January 13th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices

John T. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Allen G. Thurman, it is ordered that Edward L. Taylor, Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. T. Lapham, it is order-

ed that Henry T. Sexton, Esquire, of Palmyra, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in behalf by Mr. J. M. Patterson, it is ordered that Aaron Hims, Esquire, of Gunnison, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

63	William H. Porter, impleaded &c, vs. Plff. in Error. Jennie L. Graves, Admx, &c.	On motion of Mr. E. J. Lapsham, in behalf of counsel, leave is hereby granted the Clerk to issue the Mandate in this cause.

150	H. N. Chatfield et al, vs. Appellants. H. F. Boyle et al.	The argument of this cause was continued by Mr. J. W. Clapp and Mr. John A. McPherson, of counsel for the

appellees, and concluded by Mr William M. Ramsey, of counsel for the appellants.

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208 Augustus D. Juilliard, Plff. in Error, vs. Thomas S. Freeman. | Ordered by the Court that this cause be, and the same is hereby, passed.

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209 Edward Dermody, Plff. in Error, vs. The City of New Orleans. | Ordered by the Court that this cause be, and the same is hereby, passed to be heard with No. 217.

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158 The St Louis Smelting and Refining Company, vs. Thos Kemp & Wm. Kellall and The St. Louis Smelting and Refining Company, vs. Sarah Ray et al. | On the application of counsel — Ordered that three hours be allowed each side in the argument of these cases.

Friday January 13th 1882 continued

	The St Louis Smelting & Refining Company,	The argument of these cases was commenced by Mr. J. N. McGowan, of counsel for the plaintiff in error, and continued by Mr. A. J. Green, of counsel for the
158	vs. Plff. in Error	
	Thos. Kemp & Wm. Nuttall and	
	The St Louis Smelting & Refining Company,	
159	vs. Plff. in Error	
	Sarah Sage et al.	
	defendants in error	

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 16th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William S. Woods
Stanley Matthews
Horace Gray
} Associate Justices

John G. Nicolay Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger, it is ordered that Robert Kittle, Esquire, of Fremont, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. T. B. Sands, it is

ordered that Henry J. Durand, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Benjamin A. Allison, Henry C. Semple, Francis S. Boykin, and Benjamin H. C. Boykin, of Francis M. Boykin, heirs-at-law of Clara E. Boykin, deceased, by their guardian Francis S. Boykin, and Lucy B. Allison,

vs. Appellants

The First National Bank of Montgomery.

Appeal from the Circuit Court of the United States for the Middle District of Alabama.

66

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court

in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Matthews

(Mr. Justice Woods did not sit in this case and took no part in the decision.)

196

Christian Horby & Jenny McCabe, Appellants.
vs.
The Yeker Vetsano Company, George F. Yeker & Charles F. Yeker.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby,

affirmed with costs.

per Mr. Justice Woods.

75	The Mahoney Mining Co vs. The Anglo-California Bank, Limited.	Error in Circ. Mr. Justice Harlan filed an amendment to the opinion of the Court heretofore filed in this cause.

148	Loring D. Hawes, vs. The Contra Costa Water Company, Anthony Chabot, Henry Vieo, Andrew J. Pope, Charles Holbrook, John H. Coleman & The City of Oakland.	Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court

that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

1177	Collis P. Huntington vs. Charles E. Palmer, Tax Collector of the County of Alameda, and the Central Pacific R.R. Co.	Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

49	Daniel N. Walls, William Livingston & A. S. Silver vs. John Nicklas.	In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgments of the said Supreme Court and the District Court of the Third judicial District, County of Salt Lake, in this cause be, and the same are hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the Supreme Court with directions to remand the cause to the Third judicial District Court, County of Salt Lake, and to direct that Court to set aside the verdict and award a new trial.

per Mr. Justice Miller.

157	Daniel N. Elwood, Plff. in Error vs. Patrick W. Flannigan impleaded with Edward Swin.	In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

165	Robert C. Dugger and Alice T. Sprague by her husband Myron T. Sprague Plff. in Error vs. Willis J. Babcock, Henry N. Taylor, Robert L. Maupin et al.	In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the tran-

script of the record from the Supreme Court of the State of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the writ of error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

Charles J. Bonaparte, Executor of Elizabeth Patterson, deceased	In Error to the Court of Appeals of the State of Maryland
172 vs.	
The Appeal Tax Court of Baltimore City.	

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

177	Andrew J. Davis and Caleb Gilbert vs. Sarah J. Fredericks	Appeal from the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

178	Andrew J. Davis and Charles L. Clark vs. Sarah J. Fredericks & Shillington A. Fredericks.	In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration

whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

William H. Evans et al,		In Error to
180	vs.	the Supreme
	Pltfs. in Error.	Court of the
The Mayor & City Council of Nashville.		State of Tennessee

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

186	Peter Jones, George L. McCollas and William S. Shattuck. vs. Iggs. in Error. John Burkett and Mary E. Burkett.	In Error to the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Florida.

per Mr. Chief Justice Waite.

188	Robert L. Bradley's Administrator vs. Appellant. The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Chief Justice Waite.

667

M. K. Rosenthall Collector of the City of St. Louis. vs. Walter S. Johnston, Trustee of the National Bank of the State of Missouri. Appellant.	Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this

cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

145	Charles Murphy, Appellant. vs. The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

897	Mary Jane Briggs and her three minor children Ruth Matilda Briggs, Robert Cooper Briggs and Florence Jane Briggs. vs. Plffs. in Error. T. J. Houston & Company, a firm composed of T. J. Houston, John D. Kelly & Thomas Comer.	In Error to the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Samuel J. Hyde, William H. Cargill, James Bassill, William H. Hunting, Joseph Reynolds, D. J. Van Valkenburg and Henry Rowell.		In Error to the Circuit Court of the United States for the District of Minnesota.
1010	vs	
John Kable & Jerome V. Brun.	In Error	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this

Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Vincent Illias,
1060 vs. } In Error to the Circuit Court of the
The N. Williams, } United States for the
Executor of John S. } Eastern District
Howell, deceased. } of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Louisiana and on the motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Thomas W. Filmer, P. H. Cummings, Administrator of the succession of Robert L. Filmer, and W. Bass,	In Error to the Supreme Court of the State of Louisiana.
935 vs. Plffs. in Error.	
Henry N. Jones, Ann Poindexter, Louisa S. Guitman, widow & al.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

for Mr. Chief Justice Waite.

The Factors & Traders Insurance Company,	On consideration of the motion to dismiss the writ of error or affirm the judgment
966 vs. Plff. in Error	
Widow Mary Murphy et al.	

in this cause, It is ordered that said motion be, and the same is hereby, denied.

for Mr. Chief Justice Waite.

1018	Brooke Mackall jr, Appellant. vs. Syfred Richards et al.	On consideration of the motion to dismiss this cause, It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

1044	Marshall N. Twitchell et al, Plffs. in Error. vs. George N. Stafford, Executor &c.	On consideration of the motion to dismiss the writ of error or affirm the judgment in this cause, It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite

1125	D. H. Keyser et al, Appellants. vs. Henry N. Farmer et al.	On consideration of the motions for a writ of Supersedeas and to dismiss in this cause, It is ordered that the further hearing of said motions be postponed until the record is printed.

per Mr Chief Justice Waite.

The Chief Justice announced that the Court had adopted the following new rule

Rule 32

Writs of Error and Appeals under Section 5, of the Act of March 3, 1875.

1. Writs of error and citations under section 5, of the act of March 3, 1875, "to determine the jurisdiction of the circuit courts of the United States, and to regulate the removal of causes from the State courts, and for other purposes", for the review of orders of the circuit courts dismissing suits, or remanding suits to a State court, must be made returnable within thirty days after date, and be served before the return day.

2. In all cases where a writ of error or appeal is brought to this court under the provisions of such act, it shall be the duty of the plaintiff in error or the appellant to docket the cause and file the record in this court within thirty-six days after the date of the writ, or the taking of the

appeal, if there shall be a term of the court pending at that time, and if not, then during the first six days of the next term. If default be made in this particular, proceedings to docket and dismiss may be had as in other cases.

3. As soon as such a case is docketed the record shall be printed, unless the parties stipulate to the contrary, and file their stipulation with the clerk.

4. All such cases will be advanced on motion, and heard under the rules applicable to motions to dismiss.

5. When a writ of error or appeal has already been brought, or may hereafter be brought before this rule takes effect, the defendant in error or the appellee may docket the cause and file the record without waiting for the return day, and move under this rule.

6. In all cases where a period of thirty days is intended in the times fixed by this rule it shall be extended to sixty days in writs of error and appeals from California, Oregon, and Nevada.

7. This rule shall take effect from and

after the first day of May next —

The Chief Justice announced that the Court would not hear any cases in the regular call of the docket after the 27th instant until after the recess which will be taken by the Court during the month of February.

551

Wallace W. Rollins, Plff in Error. vs. The Western North Carolina Railroad Company.	In Error to the Supreme Court of the State of North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and on the motion of Mr. S. F. Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs per Mr. Chief Justice Waite.

1881

Michael McCormick,
vs. Appellant
John Jay Knox Commissioner &c, et al.

Mr J. J. Ford, of counsel for the appellant, having filed in open Court a suggestion of a diminution of the record in this cause in the words and figures following, to wit:

"That in the transcript of the record filed herein there is omitted the following papers or parts of papers, and entries which are of record in said cause in the Supreme Court of the District of Columbia, viz:

1st. The record at folio 99 should show the appeal prayed by the appellant from the decree of the Special Term entered July 10th, 1880, to the General Term of the Supreme Court of the District of Columbia which appeal was allowed on the 12th day of July 1880 as is shown by the record in the Supreme Court of the District of Columbia.

2nd. The record at said folio 99 fails to show the fact that the appellant had executed his appeal bond in sufficient sureties which were approved by the Court in order that the appeal taken by the appellant from

the said decree of the Special ——— passed on the 10th day of July, 1880, might operate as a Supersedeas.

3d. That the record at folio one hundred and ten omits and fails to show the date of the filing of the Report made by the Auditor in said cause, as well as the exceptions filed to said Report on behalf of the appellant; while the record in the Court below shows that said Auditors Report was filed on the 20th of July, 1880, and the exceptions thereto were filed on the 29th day of July, 1880.

4th That the record at folio 339 omits and fails to show certain several payments endorsed on the note sued on in evidence by the Commissioners of the Freedmans Savings & Trust Company, and appearing in the record at said folio 339, to which payments on said note omitted from the record are in the words and figures following, viz:

Int. paid to Aug. 15-'72

Extended to Sept. 15-'72

Rec'd Dec. 9-'72 Four Hundred and Three 67/100 dollars.

Rec'd Jany 8-'73 Four Hundred and Seven Dollars.

Recd Feby 7. '73 Four hundred and ten 33-100 dollars.
Recd March 7.- '73 Four hundred and thirty six dollars
Recd April 9. "73 Four hundred and seventeen dollars.
Recd March 29-'76 Eight hundred and eleven 52-100
, dollars and interest to March 17,-'76.
Int. to stop on $811.52 March 17.-'76. $2,863.21".

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a Writ of Certiorari to be directed to the judges of the Supreme Court of the District of Columbia commanding them that searching the record and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Supreme Court whatever omissions and errors shall be found to the extent above enumerated. On consideration whereof, It is now here ordered by this Court that a Writ of Certiorari be, and the same is hereby awarded to be issued forthwith, and to be directed to the judges of the Supreme Court of the District of Columbia commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of said Supreme

Court whatever omissions and errors shall be found to the extent above enumerated and return the same with the said Writ of Certiorari forthwith to this Court

per Mr. Chief-justice Waite.

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167 J. N. Sautter &c vs. Plffs. in Error
C. L. Allen, Collector &c.

On motion of Mr. J. H. Ross, in behalf of counsel, leave is now by granted the Clerk to issue the Mandate in this cause.

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693 Joseph N. Thatcher et al. vs. Plffs. in Error
Watson B. Rockwell

The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John G. Charles and Mr. J. D. Shepard, in support of the same and by Mr. N. M. Butler, in opposition thereto.

Monday January 16th 1882, continued

130 original	Ex parte: In the matter of J. H. Cockroft, Petitioner.	Mr. H. S. Earle asked and obtained leave to file petition for a writ of Mandamus and submitted motion for a rule to show cause why said writ should not issue.

1049	Robert Frame, Executor, &c., Plff. in Error. vs. The Mutual Assurance Society of Virginia. Def't	Mr. H. D. Hall, of counsel for the plaintiffs in error, filed and submitted to the consideration of the Court, motion to advance these cases.
1050	Wellington Goddin, Executor &c., Plff. in Error. vs. The Mutual Assurance Society of Virginia.	

696	Justus S. McCarty, Appellant. vs. Orleans Victor McCarty.	Mr. H. S. Hall, of counsel for the appellee, suggested the death of Justus S. McCarty the appellant in this cause.

752	The Wilson Packing Co. et al. vs. William D. Cass	Appellants.	On motion of Mr. R. G. Horsuck, in behalf of counsel,

leave is hereby granted to file addition to the record in this cause.

1193	William Craig vs. Thomas Leitensdorfer	Appellant.	Mr. F. H. Bradford, of counsel for the appellee, having filed in open Court certified

copies of the decree of the Circuit Court of the United States for the District of Colorado, the order of said Court allowing an appeal and of the appeal bond in this cause, and having stated that the appellant had altogether failed to file the record of said cause in this Court or in anyway to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the District of Colorado be, and the

same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1034 Wilson Iger et al., Appellants vs. Talbot V. Murray.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. J. Caldwell, of counsel for the appellants, and by Mr. L. S. Rice and Mr. S. T. Thomas, of counsel for the appellee, under the 20th rule.

1053 The United States, Appellant vs. Lawrence T. Babbitt.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Solicitor General Phillips, of counsel for the appellant, and by Mr. Wm Penn Clarke, of counsel for the appellee, under the 20th rule.

1156	Ira Davenport, Plff in Error vs. The County Judge	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. H. Munger, and Mr. E. Hasbrouck of counsel for the plaintiff in error, and by Mr Wm Marshall, of counsel for the defendant in error, under the 20th rule.

1158	The St. Louis Smelting and Refining Company, Plff in Error vs. Thomas Lumpkin & Wm Tullett.	The argument of these causes was continued by Mr A. G. Thurman, who appears for certain interested parties under a rule of Court, in support of the writs of error. (Mr Thurman's argument was suspended on account of sickness) and by Mr. G. M. Patterson, of counsel for the defendants in error in No. 1159.
	and	
1159	The St. Louis Smelting and Refining Company, Plff in Error vs. Sarah Ray et al.	

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 17th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Associate Justices.

John F. Nicolay Esquire, Marshal
James H. McKenney Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. Hallett Phillips, it is ordered that Lewis T. Dembitz, Esquire, of Louisville, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. S. Henderson, it is

ordered that Theodore Hayden Esquire of Fort Leavenworth State of Iowa be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. J. J. Thorp it is ordered that Charles H. Clarke Esquire of Greenville State of Mississippi be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr C. Mariner it is ordered that William A. Brown Esquire of Mt. Pleasant State of Michigan be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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1175	S. H. Seymour et al. vs. Appellants Mary F. Farr et al	On motion of Mr H. Hubbell Phillips, of counsel for the appellees, leave is hereby granted to file supplemental record in this cause subject to exceptions by the appellants.

796	John L. Cook, Collector of Internal Revenue, vs. Plff in Error Calvin L. Loyd.	In Error to the Circuit Court of the United States for the Northern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Waite.

Tuesday January 17th 1882, continued

The St. Louis Smelting and Refining Company
458 vs. Plff. in Error
Thos. Kemp & Wm. Nuttall
and
The St. Louis Smelting and Refining Company
459 vs. Plff. in Error
Sarah Kay et al.

The argument of these cases was continued by Mr. T. M. Patterson, of counsel for the defendants in error in No. 459; Mr. A. L. Thurman assumed and concluded his argument in behalf of certain interested parties, by leave of the Court, in support of the writs of error; and by Mr. H. D. Cassity, of counsel for the defendants in error in No. 458, and concluded by Mr. Walter A. Smith, of counsel for the plaintiff in error

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Wednesday January 18th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices.

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Stephens, Esqr, it is ordered that Allen Miller, Esquire, of Columbus, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter S. Smith it is

ordered that Charles N. Merriman, Esqun. of Mt Vernon, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

900	The United States vs. Appellant. The Real Estate Savings Bank of Pittsburgh and	The argument of these cases was commenced by Mr. John J. Blair, of counsel for the appellant, continued by Mr. George L. Douglass, of counsel for the appellees, and concluded by Mr. William Lawrence, of counsel for the appellant.
901	The United States vs. Appellant. John Barnell et al	

879	The United States vs. Plaintiff. Jack McAlaney	This cause was argued by Mr. Solicitor General Phillips, of counsel for the plaintiff, and submitted on printed argument by Mr. Thomas J. Putnam, of counsel for the defendant.

Wednesday January 18th 1882, continued

197	The German Savings Bank in the City of New York Plff in Error vs. Joseph Archbold, Collector &c.	The argument of this cause was commenced by Mr. Lewis Sanders, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday January 19th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices.

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Evarts, it is ordered that Charles D. Gilmore, Esquire, of Steubenville, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Langdon Ward, it-

is ordered that Woodward Emery, Esquire, of Cambridge, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Monongahela National Bank vs. Pltff. in Error The Town of Ottawa.	On motion of Mr. Philip Phillips, of counsel for the defendant in error, it is ordered that

when this case be reached it be passed to be heard with No. 949.

The German Savings Bank in the City of New York, vs. Pltff. in Error. Jesse H. Arnold, Collector &c.	The argument of this cause was continued by Mr. Lewis Sanders, of counsel for the plaintiff in

error, and by Mr. Solicitor General Phillips, of counsel for the defendant in error, and concluded by Mr. William M. Evarts, of counsel for the plaintiff in error.

Thursday January 19th 1882, continued

1066	Edwin N. Merrill, Collector, vs. Samuel Welsh et al.	Plff. in Error.	The argument of this cause was commenced by Mr. Solicitor General Phillips, of counsel for the plaintiff in error, and continued by Mr. Stephen S. Clarke and Mr. William M. Evarts, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday January 16th 1882

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice

Associate Justices:
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. F. Cuppy, it is ordered that John P. Jodon, Esquire, of Los Angeles, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr John J. Reed it is ordered

That Charles F. Benjamin, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that W. E. P. Howard, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Ross, it is ordered that John H. Hammond, Esquire, of Ottumwa, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1166 Edwin A. Merrill, Collector &c. Plff. in Error
vs.
Samuel Welsh et al.

The argument of this cause was continued by Mr. W. M. Evarts, of counsel for the defendants in error, and concluded by Mr. Solicitor General Phillips, of

counsel for the plaintiff in error.

310	Wm. T. Mason & H. C. Cabot, Plffs. in Error. vs. John Sargent, Late Collector.	This cause was argued by Mr. George Putnam, of counsel for the plaintiffs in error, and by Mr. Solicitor General Phillips, of counsel for the defendant in error

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1075	The United States, Appellant. vs. Richard H. Tyler.	This cause was argued by Mr. Solicitor General Phillips, of counsel for the appellant, and by Mr. Richard H. Tyler, the appellee in propria persona, and Mr. A. D. Harlan, of counsel for the appellee.

1112	Frederick Post, Plff. in Error. vs. The People of the Territory of Utah.	This cause was argued by Mr. J. R. McBride, of counsel for the plaintiff in error, and by Mr. Solicitor General Phillips, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 23rd 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices

John C. Nicolay Esquire, Marshal.
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Philip Phillips it is ordered that David D. Shelby Esquire of Huntsville, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Morgan, it is

ordered that Daniel M. Holmes, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Lowndes, it is ordered that Allen Webster, Esquire, of Springfield, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. S. Riddle, it is ordered that E. Prentiss, Esquire, of Cleveland State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The County of Clay,	In Error to the Circuit
1006	vs.	Court of the United
	Ann Error.	States for the Southern
	The Society for Savings.	District of Illinois.

This cause came on to be heard on the tran-

script of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar ~~that similar~~ judgments bear in the Courts of the State of Illinois.

per Mr. Justice Woods

1882	Matthew Gottfried, Appellant. vs. Frederick Miller.	Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that

the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

Janet S. Merrill vs. Error in Error John H. Lee.	In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Bradley.

Monday January 23rd 1882, continued

1110 The United States vs. Appellant
The Pacific Mail Steamship Company. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause be, and the same is hereby, affirmed.

per Mr. justice Miller.

Mr. justice Miller announced that the following new rule had been adopted by the Court.

Equity Rule 94.

Every bill brought by one or more stockholders in a corporation, against the corporation and other parties, founded on rights which may properly be asserted by the corporation, must be verified by oath, and must contain an allegation that the plaintiff was a shareholder at the time of the transaction of which he complains, or that his share had

declared on him since, by operation of law; and that the suit is not a collusive one to confer on a court of the United States jurisdiction of a case of which it would not otherwise have cognizance. It must also set forth with particularity the efforts of the plaintiff to secure such action as he desires on the part of the managing directors or trustees, and, if necessary, of the shareholders, and the causes of his failure to obtain such action.

Ex parte: In the matter of Edw. M. Rowland, D. C. United States of A. Germany, } Petitioner.

On consideration of the petition for a writ of Habeas Corpus in this cause and of the argument of counsel thereupon had as well in support of as against the same. It is ordered that said petition be, and the same is hereby, granted unless the petitioners are discharged from custody without further proceedings.

for Mr. Chief Justice Waite.

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12 Original — Ex parte: In the matter of The State of Alabama — Petitioner. | On consideration of the petition for a Writ of Habeas Corpus in this cause and of the argument of counsel thereupon had, a writ in support of as against the same, It is ordered that said petition be, and the same is hereby, denied.

per Mr. Chief-Justice Waite.

1143 Logan C. Snoope vs. Plff. in Error. Hiram H. Leffingwell, Henry N. Monroe, C. S. Bowen, J. W. Doane, & The Atlas National Bank of Boston. | In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on the motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Su-

prime Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr Chief Justice Waite.

Ex parte: In the matter of N. L. Cockcroft

13 Original. Petitioner.

On consideration of the petition for a writ of Mandamus and for a rule to show cause why said writ should not issue. It is ordered that said petition be, and the same is hereby, denied.

per Mr. Chief Justice Waite

Robert Shame, Executor, &c.

1049 vs. Pff. in Error

The Mutual Insurance Society of Virginia

and

Hillington Holden, Executor &c.

1050 vs. Pff. in Error

The Mutual Assurance Society of Virginia.

On consideration of the motion to advance these cases, It is ordered that said motion be, and the same is hereby, denied, but leave is hereby granted to submit the same upon printed arguments at any time that may suit the convenience of counsel.

957 James H. Simmons, Appellant. vs. Joseph Ogle. | This cause was submitted to the consideration of the Court, under the 20th rule, on the record and printed argument by Mr. F. N. McConaughy and Mr. L. A. Hallett, of counsel for the appellant, with leave to Mr. J. S. Morrison, of counsel for the appellee, to file printed argument on or before March 1st.

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305 Edwin M. Lewis, Trustee in bankruptcy of Jay Cooke &al., Appellant. vs. The Fourth National Bank of the City of New York. | Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the stipulation of counsel on file and motion of Mr. J. Hubley Ashton, in behalf of counsel. It is now here ordered, adjudged, and decreed by this Court, that

this appeal be, and the same is hereby, dismissed - Clerk's costs in this Court to be paid by appellant.

per Mr. Chief Justice Waite.

	D. Pasfer	The motion to dismiss
953	vs. Pff. in Error	this cause was submitted
	D. F. Langford	to the consideration of
		the Court on the record

and printed arguments by Mr. C. F. Bolls, in support of the same, and by Mr. C. K. Breathouse and Mr. N. Chester, in opposition thereto.

	The United States	On motion of Mr.
900	vs. Appellant.	Solicitor General
	The Real Estate Savings	Phillips, leave is
	Bank of Pittsburgh	hereby granted to
	and	Mr. William Lawrence to file brief on
	The United States	behalf of the appellant.
901	vs. Appellant.	
	John Barnett et al.	

	Justus D. McCarty,	Appeal from the
696	vs. Appellant.	Supreme Court
	Orleans Victor McCarty.	of the District

of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and on the stipulation of counsel on file and motion of Mr. Wm B. Hill, of counsel for the appellee. It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

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9 The New Orleans, Mobile & Texas R. R. Co. et al. vs. Henry Ellerman. Appellants.

On motion of Mr. C. H. Horner, of counsel for the appellee, It is ordered that this cause be, and the same is hereby, assigned for argument on Monday, February 27th.

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340 Jacob Hahl, vs. Henry B. Hine et al. Appellant.

Mr. J. C. McDonald, of counsel for the appellees, having filed in open Court a suggestion of a diminution of the record in

this cause in the words and figures following to wit:

"That the depositions of Thomas C. Shaker, Nelson H. Green, William D. Andrews (first deposition), Isaac H. Chapman and Thomas N. Lees, filed in said cause on September 27, 1878, and the first deposition and testimony of Corydon C. Shelby filed in said cause on January 27, 1879, are wholly omitted and are not contained in the printed record in said case."

By reason of which omission and errors aforesaid the said counsel now here moved the Court to award a Writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the District of Indiana, commanding them that searching the record and proceedings of said Court in this cause they shall certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found to the extent above enumerated. On consideration whereof, It is now here ordered by this Court that a Writ of Certiorari be, and the same is hereby, awarded to be

issued forthwith and to be directed to the judges of the Circuit Court of the United States for the District of Indiana commanding them that searching the record and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found to the extent above enumerated and return the same with the said Writ of Certiorari forthwith to this Court.

per Mr. Chief Justice Waite.

	George H. Hildebrand et al.	The motion to
348	vs. Appellants.	dismiss this
	The Logansport, Crawfordsville & Southern Railway Co. et al	cause was submitted to

the consideration of the Court on printed arguments by Mr. H. H. H. Miller and Mr. John F. Williams, in support of the same, and by Mr. C. M. Osborn, in opposition thereto.

	The Kellogg Bridge Co.	The motion to
600	vs. Plff. in Error.	dismiss this cause
	Thomas N. Hamilton.	was submitted to

the consideration of the Court on the record and printed arguments by Mr. J. C. Lee, in support of the same, and by Mr. Fish and Waite and Mr. C. F. Waite, in opposition thereto.

1081	Michael McCormick vs. Appellant. John Jay Knox, Commissioner &c, et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. J. Reed and Mr. H. N. Maloy, of counsel for the appellant, and by Mr. Enoch Totten, of counsel for the appellees, under the 20th rule.

108	The Western Union Telegraph Company, vs. Pfc. in Error The State of Texas.	This cause was argued by Mr. Roger Swayne, of counsel for the plaintiff in error, and by Mr. Philip Phillips, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Tuesday January 7th 1873

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William S. Woods
Stanley Matthews
Horace Gray
} Associate Justices.

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that Charles E. Brown Esquire, of Cincinnati, and H. N. H. Winburn Esquire, of Athens, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Thursday January 31st 1882, continued

The European & North American Railroad Company, Hannibal Hamlin, W. D. Haggard, Benjamin Smith & The City of Bangor,		Appeal from the Circuit Court of the United States for the District of Maine.
418	vs.	Appellants.
John Greenough et al.		

This cause came on to be heard on the transcript of the transcript of the record from the Circuit Court of the United States for the District of Maine, and on the stipulation of counsel on file and motion of Mr. H. L. Putnam, of counsel for the appellants, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, reversed: And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill without costs. Clerks costs in this Court to be paid by appellants.

per Mr. Chief Justice Waite.

Thursday January 24th 1882, continued

119	John Fennaughty, Appellant vs. The European & North American Railroad Co. et al.	Appeal from the Circuit Court of the United States for the District of Maine.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine, and on the stipulation of counsel on file and motion of Mr. H. L. Putnam, of counsel for the appellees, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed. Clerk's costs in this Court to be paid by appellant.

per Mr. Chief Justice Waite.

1118	The European & North American Railroad Company et al. vs. John Greenough et al and John Greenough vs. The European & North American Railroad Company et al.	Appellants. Appellant.	On motion of Mr. H. L. Putnam, leave is hereby granted the Clerk to issue the Mandates in these cases
1119			

1111	William Hill, vs. Albert Bowker	Appellant.	Mr. H. L. Putnam, of counsel for the appellee, suggested the death of William Hill the appellant in this cause.

1149	The Evansville National Bank of Evansville, Indiana vs. Thomas P. Dutton, Treasurer, &c., and Thomas P. Dutton, Treasurer, &c., vs. The Evansville National Bank of Evansville, Indiana.	Appellant. Appellant.	The argument of these cases was commenced by Mr. Asa Iglehart, of counsel for the appellant in No. 1149 & appellee in No. 1156,
1156			

continued by Mr. J. S. Buchanan and Mr. Benjamin Harrison, of counsel for the appellee in No. 1149 and appellant in No. 1156, and concluded by Mr. Thomas A. Hendricks of counsel for the appellant in No. 1149 and appellee in No. 1156.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday January 25th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices.

John G. Nicolay Esquire Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. H. Johnston, it is ordered that James H. Walker, Esquire, of Helena, Montana Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. F. Durant, it is ordered

that Warwick Martin, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Theodore H. Peckham, it is ordered that George Wrightson, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

259	The United States U.S. Appellant. The Pacific Railroad, Uriel H. Murdock, Luther C. Clark, Edwin L. Morgan, Joseph Seligman et al.	Appeal from the Circuit Court of the United States for the Eastern District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and on the motion of Mr Solicitor General Phillips, of counsel for the appellant, It is now here ordered,

adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed.

for Mr Chief Justice Waite.

Charles E. Hills as Receiver &c. Taxes et al
vs. Appellants.
The National Albany Exchange Bank.

The argument of this cause was commenced by Mr R. H. Peckham of counsel for the appellants, continued by Mr. Roger Swayne, and Mr. Julian Davis, of counsel for the appellee, and concluded by Mr. Rhuer R. Peckham, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday January 26th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief justice.

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray.
} Associate justices

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

847	The Board of Supervisors of Albany County. vs. Stephen Clute in Error. Edward A. Stanley	The argument of this cause was commenced by Mr. R. H. Peckham, of counsel for the plaintiff in error, continued by Mr. Matthew Hale and Mr. George F. Edmunds of counsel for the defendant in error, and concluded by Mr. Wheeler H. Peckham, of counsel for

Thursday January 26th 1882, continued

The plaintiff in error.

	The Union Pacific Railroad Company,	This cause was argued by Mr. Sidney Dartell, of counsel for the appellant, and by Mr. Solicitor General
160	vs Appellant.	
	The United States	

Phillips, of counsel for the appellee

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday January 29th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray.
} Associate justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. S. F. R. McMillan, it is ordered that Frederick Ellis, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. Leonard Myers, it is ordered that John Cooke Longstreth and Frank P. Brightly, Esquires, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

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66 Benjamin F. Wiemer et al, vs. The First National Bank of Montgomery. Appellants.

On motion of Mr. P. Phillips, of counsel for the appellants, leave is hereby granted the Clerk to issue the Mandate in this cause.

The Memphis & Charleston Railroad Company,
867 vs. Plff. in Error
The United States

The Little Miami, Columbus & Xenia R. R. Co.
499 vs. Plff. in Error
The United States

The Western Pacific R. Road et al.
505 vs. Appellants
The United States.

The Sioux City & Pacific R. R. Co
732 vs. Plff. in Error
The United States.

The Houston & Texas Central R. R. Co.
749 vs. Plff. in Error.
The United States

The United States
881 vs. Plff. in Error.
Lewis Lindsley et al
and
David F. Hollister, Collector &c.
1033 vs. Plff. in Error.
Eli Benedict & Burnham Manufacturing Company.

Mr. Solicitor General Phillips filed and submitted to the consideration of the Court motions to advance these cases.

Friday January 27th 1882, continued

	E. N. Scovill & Thomas N. Annable, Assignees, &c.	The argument of this cause was commenced by Mr. J. E. McKeighan, of counsel for the
227	vs. Plffs. in Error	
	Nathaniel Thayer.	

plaintiffs in error, continued by Mr. H. G. Russell and Mr. Sidney Bartlett, of counsel for the defendant in error, and concluded by Mr. J. K. Kenney, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Saturday January 28th 1882

Pursuant to adjournment the Court met to-day at the Capitol.

Present—

The Honorable Morrison R. Waite,	Chief justice
Samuel F. Miller	Associate justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
Stanley Matthews	
Horace Gray	

John G. Nicolay Esquire, Marshal
James H. McKenny, Clerk.

Proclamation being made the Court is opened.

411

Neal Ruggles vs. Pltf. in Error The People of the State of Illinois.	Mr. Sidney Bartlett, of counsel for the plaintiff in error, and on behalf of the Attorney General of

the State of Illinois, filed and submitted to the consideration of the Court, motion to advance this cause.

1070	The United States vs. Appellant. The Pacific Mail Steamship Company.	On motion of Mr. J. H. Farnsworth, of counsel for the appellee, leave is hereby granted the Clerk to issue the Mandate in this cause

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194	The Chicago, Milwaukee & St. Paul Railway Co. vs. Appellant. The United States and The United States vs. Appellant. The Chicago, Milwaukee & St. Paul Railway Co.	These cases were argued by Mr. John H. Cary, of counsel for the Railway Company, and by Mr. Solicitor General Phillips, of counsel for the United States.

501	The Chicago & Northwestern Railway Company, vs. Appellant. The United States.	This cause was argued by Mr. John H. Farnsworth, of counsel for the appellant, and by Mr. Solicitor General Phillips, of counsel for the appellee.

Proclamation being made the Court is adjourned

Monday January 30th 1882

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice.

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
— Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Benjamin F. Butler, it is ordered that George O. Mitchell, Esquire, of Omaha, State of Nebraska, and N. H. Solomon, Esquire, of Council Bluffs, State of Iowa, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

348	George H. Miltenberger et al. vs. The Logansport, Crawfordsville & Southern Railway Co. et al.	Appellants. On consideration of the motion to dismiss this cause—It is

ordered that the further consideration of the same be postponed until the hearing of the cause on the merits.

per Mr. Chief Justice Waite.

600	The Kellogg Bridge Co. vs. Thomas H. Hamilton.	Plff. in Error. On consideration of the motion to dismiss this cause—

It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

881	The United States, vs. Lewis Rindskopf et al.	Plff. in Error. On consideration of the motion to advance this cause, It is order-

ed that the said motion be, and the same is hereby, granted and the cause is assigned for argument on the second Monday of March next

Monday January 30th 1882; continued

after the cases already assigned for argument on that day.

Per Mr. Chief Justice Waite.

1162 The Memphis & Charleston R.R. Co, Plff. in Error vs The United States
1199 The Little Miami, Columbus & Xenia R.R. Co. Plff. in Error vs The United States
505 The Western Pacific R.R. Co et al, Appellants vs The United States
732 The Sioux City & Pacific R.R. Co, Plff. in Error vs The United States
749 The Houston & Texas Central R.R. Co., Plff. in Error vs The United States
1023 David L. Hollister, Collector, Plff in Error vs The Goodlett & Burnham Mfg Co
411 Neal Ruggles, Plff. in Error, vs The People of the State of Illinois
361 The United States, Appellant, vs Samuel McKeever.

On consideration of the motions to advance these cases, It is ordered that said motions be, and the same are hereby, denied, but without prejudice to their renewal at the beginning of the next term if it shall then be deemed necessary.

Per Mr. Chief Justice Waite.

Order

Ordered that Mandates issue in all cases decided prior to the first day of January when applied for, except where a petition for rehearing is pending and cases docket-

sted and dismissed under the ninth rule.

Order

Mr. having been an Associate Justice of this Court appointed since the commencement of this term, It is ordered that the following allotment be made of the Chief Justice and Associate Justices of said Court among the Circuits, agreeably to the Act of Congress in such case made and provided, and that such allotment be entered of record, viz:

For the First Circuit, Horace Gray, Associate Justice
For the Second Circuit, Stephen J. Field, Associate Justice
For the Third Circuit, Joseph P. Bradley, Associate Justice
For the Fourth Circuit, Morrison R. Waite, Chief Justice
For the Fifth Circuit, William B. Woods, Associate Justice
For the Sixth Circuit, Stanley Matthews, Associate Justice
For the Seventh Circuit, John M. Harlan, Associate Justice
For the Eighth Circuit, Samuel F. Miller, Associate Justice
For the Ninth Circuit, Stephen J. Field, Associate Justice.

1193	William Craig vs. Appellant Thomas Leidendorfer	Mr. D. F. Butler moved the Court to reverse the decree docketing and dismissing this

cause pursuant to the 9th rule, entered on the 16th day of January - On consideration whereof, It is now here ordered that said motion be, and the same is hereby, denied.

198	Jacob S. Merrill vs. Appellant John H. Rice	On motion of Mr. C. P. Culver, of counsel for the appellee, leave is hereby granted the Clerk to issue the Mandate in this

cause.

166	David E. James vs. Appellant Micajah McCormack	On motion of Mr. S. F. Phillips, Ordered that the Mandate in this cause do

not issue until further order by the Court.

1195 William Fletcher vs. Appellant
Neal F. Murray, Administrator of Hugh Murray, deceased.

Mr. W. F. Willis, of counsel for the appellee, having filed in open Court the following certificate, to wit:

"Supreme Court of the District of Columbia
I, R. J. Meigs, Clerk of the Supreme Court of the District of Columbia, do hereby certify that in a certain cause pending in said Supreme Court wherein William Fletcher was complainant, and Neal F. Murray, Administrator of Hugh Murray, deceased, was defendant, a final decree was entered on the 10th day of December, 1880, in favor of said defendant and against the said complainant and that on the same day said complainant prayed an appeal to the Supreme Court of the United States which was duly allowed.

In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court this 30th day of January A. D. 1882.

R. J. Meigs
(Seal) Clerk of the Supreme
Court of the District of
Columbia"

and having stated that the said appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court, in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Supreme Court of the District of Columbia be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1154	Maggie R. Flagg et al. vs. Samuel Walker. Appellants.	Mr. Fillmore Beall, in behalf of counsel for Hiram Sibley the surety on the Supersedeas Bond in this cause, moved the Court to dismiss this appeal, or for an order relieving him from all liability on said bond, or to vacate the Supersedeas in this cause, which was opposed by Mr. H. H. McKenney, of counsel for the appellants, and on his motion it is ordered that the hearing of said motion be, and the same is hereby, postponed until Monday, February 27th.

Proclamation being made the Court is adjourned until Monday, the twenty-seventh day of February at twelve o'clock

Monday February 27th 1882

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief-Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

The Court took a recess for the purpose of attending the memorial services in the Hall of the House of Representatives in honor of James A. Garfield, late President of the United States.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock

Tuesday February 28th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller — Associate Justices
Stephen J. Field — Associate Justices
Joseph P. Bradley — Associate Justices
John M. Harlan — Associate Justices
William Woods — Associate Justices
Stanley Matthews — Associate Justices
Horace Gray — Associate Justices

John F. Nicolay, Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. George F. Hoar, it is ordered that Alexander S. Bradley, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court

in this behalf by Mr. James Lowndes, it is ordered that J. Henry Cook, Esquire, of Fishkill-on-the-Hudson, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1157 Maggie N. Flaggedal et al vs. Samuel Walker — Appellants

The motion of Miriam Sibley, the surety on the supersedeas bond in this cause, to dismiss this appeal, or for an order relieving him from all liability on said bond, or to vacate the supersedeas in this cause, was argued by Mr. N. K. Hilton, in support of the same, and submitted on printed argument by Mr. H. A. McKenney, in opposition thereto.

Thomas L. James,
630 vs Appellant
Christopher C. Campbell et al

Samuel K. Claxton,
767 vs Appellant.
C. C. Campbell, Assignee &c, et al
and
Christopher C. Campbell
769 vs Appellant.
Thomas L. James et al

The motion to reform the taxation of costs in these cases as to Samuel K. Claxton, Horace T. Caswell, and Charles Eddy, their Trustee, was argued by Mr. E. L. Bullens, in support of the same, and by Mr. George H. Williams, in opposition thereto.

William L. Hemingway, Treasurer, and Sylvester Irvin, Auditor, of the State of Mississippi, and Ex officio the Levee Board of District No. 1,
1263 vs Plffs. in Error.
Josefina H. Stansell, Surviving partner of Parke & Stansell.

Mr. N. C. Jackson, of counsel for the defendant in error, having filed in open Court the following certificate, to wit:

"

United States of America
Northern District of Mississippi } ss

In the District Court of the United States for said District.

I, George N. Hill, Clerk of the District Court of the United States for the Northern District of Mississippi, do hereby certify that on the 5th day October, A.D. 1881, William L. Hemingway, and Sylvester Irwin filed in my office their certain petition for writ of error in the words following, to wit:

To George N. Hill, Clerk District Court of the United States for the Northern District of Mississippi –

The undersigned William L. Hemingway & Sylvester Irwin feel themselves aggrieved by a judgment rendered at the June Term 1881 of the District Court of the United States for the Northern District of Mississippi in a certain cause wherein Jeptha H. Hansell, surviving partner of Carter & Hansell was plaintiff, and said Wm L. Hemingway and Sylvester Irwin, Treasurer and Auditor of the

State of Mississippi, & c officio Levee Board of District No 1, were defendants— Wherefore they pray that a writ of error may issue returnable to the next term of the Supreme Court to be held on the second Monday of October A. D. 1881 at the City of Washington, D. C. upon his giving bond as required by law.

William L. Hemingway, Treasurer
Sylvester Irwin, Auditor, by
Henry Craft & H. V. Harris
Attorneys.

And I further certify that the said judgment mentioned in the said petition was rendered on the 11th day of June A. D. 1881, and that a writ of error in pursuance of the prayer of the said petition, in which the said William L. Hemingway and Sylvester Irwin are the plaintiffs in error, and the said Jeptha H. Stansell, surviving partner of Partee & Stansell, is defendant in error has been duly issued out and allowed.

In witness whereof I have hereunto set my

hand and affixed
the seal of said Court
this 20th day of Feb-
ruary A. D. 1882
J. R. Hill, Clerk
U. S. Court N. D. of Miss."

(Seal)

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, moved the Court, in pursuance of the 9th rule, to have this writ of error docketed and dismissed — On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause to the District Court of the United States for the Northern District of Mississippi, be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said District Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite

979	D. M. Russell et al vs. J. H. Hansell, surviving partner, &c.	The motion to dismiss this cause or for a writ of Certiorari was submitted to the consideration of the Court on the record and printed argument by Mr. H. C. Jackson in behalf of Mr. N. G. Elliott in support of the same.

1131	Cyrus Kickerson et al vs. The Merchants Steamship Company of Charleston	The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed argument by Mr. H. N. Maury, in behalf of Mr. J. N. Thomas in support of the same.

1113	Logan O. Swope vs. Pltf in Error Hiram L. Spangler et al	On motion of Mr. P. Phillips, of counsel for the defendants in error, leave is hereby granted the Clerk to issue the Mandate in this cause.

1143 Adolphus Brandies et al, Appellants.
vs.
John Cochrane et al.

The motions to dismiss this cause and for a Writ of Certiorari were submitted to the consideration of the Court on the record and printed arguments by Mr. Edwin F. Bayley, in support of the motion to dismiss and in opposition to the motion for a Writ of Certiorari, and by Mr. John J. Monk, in opposition to the motion to dismiss and in support of the motion for a Writ of Certiorari.

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197 John N. Cushing et al Appellants.
vs.
John Laird the younger et al.
And
388 J. P. Giraud Foster and James Thomson, Garnishees, Appellants.
vs.
John N. Cushing et al.

On motion of Mr. R. D. Benedict, one half hour additional time is hereby allowed counsel on each side in the argument of these cases.

Thursday February 28th 1833, continued

197	John A. Cushing et al vs John Laird the younger, et al and	The argument of these causes was commenced by Mr. R. J. Benedict and continued by Mr. J. Langdon Ward, of counsel for the appellants in No. 197 and appellees in No. 388, and by Mr. C. Van Santvoord, of counsel for the appellees in No 197 and appellants in No. 388.
388	J. V. Strand Foster and James Thomson, Garnishees &c. vs John A. Cushing et al.	

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday March 1st 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices.

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr F. T. Crittenden, it is ordered that F. T. Crittenden, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Whitehall, it is ordered that T. Morris Hatter, Esquire, of Seattle, Washington Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Maury, it is ordered that Hillsboughby N. Smith, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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115 | The Sandusky Seat Co. et al, Appellants. vs. Theodore Comstock et al | On motion of Mr. Arthur Sloss, of counsel for the appellees, leave is hereby granted him to file motion to reform the judgment and mandate in this cause.

197	John N. Cushing et al, Appellants vs. John Laird, the younger et al and J. D. Giraud Foster & James Thomson, Garnishees. 388 vs. Appellants John N. Cushing et al	The argument of these cases was continued by Mr. C. Van Santvoord & Mr. A. J. Vandepoel, of counsel for the appellees in No. 197 and appellants in No. 388, and concluded by Mr. R. D. Benedict, of counsel for the appellants in No. 197 and appellees in No. 388.

9	The New Orleans, Mobile & Texas R. R. Co. et al, Appellants. vs. Henry Ellerman	The re-argument of this cause was commenced by Mr. John L. Cadwalader, of counsel for the appellants, continued by Mr. Charles H. Horner, of counsel for the appellee, and concluded by Mr. T. L. Wayne, of counsel for the appellants.

Wednesday March 1st 1882 continued

	The United States	This cause was
510	15 Appellant	argued by the
	William T. Temple	Solicitor General

Phillips, of counsel for the appellant and by Mr. Enoch Totten, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday March 2nd 1882

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Morrison R. Waite Chief justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Associate justices

John G. Nicolay Esquire Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion just made to the Court in this behalf by Mr. Edwards Pierrepont, it is ordered that John J. Hasson, Esquire, of Des Moines, State of Iowa, be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. K. Valentine, it is ordered that Nelson T. Bowen, Esquire, of Hastings, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	George Myers	Mr. S. F. Phillips,
341	vs. Pff. in Error	of counsel for the
	Edward J. Seamstal	defendants in error,

suggested the death of George Myers, the plaintiff in error in this cause, and moved the Court for an order under the 15th rule to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said George Myers, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the defendants in error shall be entitled to have the writ of error dismissed. Provided that a copy of this order shall be printed in some newspaper at the seat of Government, of general circulation, for three

successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

per Mr. Chief Justice Waite

591	H. L. Boogs, James E. Boogs, and John S. Boogs vs. J. H. Bosler.	In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and on the motion of Mr. John N. Dyer, of counsel for the plaintiffs in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Waite.

511	The United States vs. The Dix Island Granite Company. Appellant.	This cause was argued by Mr. Solicitor General Phillips, of counsel for the appellant, and by

Mr Enoch Totten, of counsel for the appellee.

Sedon Dant, Appellant 51 vs. David Krantz etal	This cause was argued by Mr Arthur Stem, of counsel for the appellant, and submitted on printed arguments by Mr H. N. Maury & C. A. Lembly, of counsel for the appellees.

(Mr. justice Harlan having been of counsel did not sit during the argument of this cause.)

The Newport & Cincinnati Bridge Company 52 vs. Appellant The United States	The re-argument of this cause was commenced by Mr. William M. Ramsey, of counsel for the appellant.

(Mr. justice Matthews having been of counsel in this cause did not sit during the argument.)

Proclamation being made the Court adjourned until tomorrow at twelve o'clock.

Friday March 3rd 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Associate Justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. G. Magrath it is ordered that Samuel Dibble, Esquire, of Orangeburg, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Wilson Packing Co et al,	Mr R. T. Merrick, on behalf of counsel, filed and submitted to the consideration of the Court, motion to advance these cases to be argued in place of No. 1151 pursuant to stipulation on file.
1150	vs. Appellants.	
	The Chicago Packing and Provision Co. et al.	
	The Wilson Packing Co et al,	
1190	vs. Appellants	
	Robert J. Hunter et al.	
	and	
	The Wilson Packing Co et al	
1191	vs. Appellants.	
	Robert J. Hunter et al	

	Vincent Micas	On motion of Mr. D. T. Jones, on behalf of counsel, leave is hereby granted the Clerk to issue the Mandate in this cause.
1160	vs. Pff. in Error	
	C. H. Williams, Executor &c.	

	The Newport & Cincinnati Bridge Company,	The re-argument of this cause was continued by
32	vs. Appellant.	
	The United States	

Mr. Solicitor General Phillips & Mr. Attorney General Brewster, of counsel for the appellee, and concluded by Mr. William M. Ramsey, of counsel for the appellant.

(Mr. Justice Matthews having been of counsel in this cause did not sit during the argument.)

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212 The Knickerbocker Life Insurance Co. vs. Pff. in Error
Bartholomew Foley

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. J. Magrath, of counsel for the plaintiff in error, and by Mr. J. C. K. Bryan, of counsel for the defendant in error.

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213 Wm Henry Smith, Collector &c. vs. Pff. in Error.
Marshall Field et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Phillips, of counsel for the plaintiff in error,

and by Mr. C. S. Isham, Mr. D. D. Smith & Mr. J. H. Thompson, of counsel for the defendants in error.

The United States 311 vs. Plff. in Error. The Union Pacific Railroad Company.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Solicitor General Phillips, & counsel for the plaintiff in error, and by Mr. Samuel Shellabarger and Mr. J. M. Wilson, of counsel for the defendant in error

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The Marine & River Phosphate Mining & Manufacturing Co. et al., 215 vs. Appellants. William L. Bradley	The argument of this cause was commenced by Mr. N. T. Hagrath, of counsel for the appellants and continued by Mr. William E. Earle, of counsel for the appellee.

Proclamation being made the Court is adjourn-

Monday March 6th 1882

Pursuant to adjournment the Court met to-day at the Capitol

Present-

The Honorable Morrison R. Waite, Chief Justice

Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices

John G. Nicolay Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William M. Merry it is ordered that T. A. Merry, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Monday March 6th 1882, continued

177	The United States vs. Plaintiff Jack McDaniel.	On a certificate of division in opinion between the judges of the Circuit Court

of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and on the point or question on which the Judges of the said Circuit Court were opposed in opinion, and which was certified to this Court for its opinion agreeably to the Act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the question certified must be answered in the negative. Whereupon, it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr. Justice Gray.

	Frederick Hoyt,	In Error to the
1112	vs. Plff. in Error	Supreme Court of
	The People of the	the Territory of
	Territory of Utah.	Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to set aside the verdict and order a new trial

per Mr. Justice Gray.

	Caroline N. Moores,	In Error to the Cir-
205	vs. Plff. in Error	cuit Court of the
	The Citizens National	United States for the
	Bank of Piqua	Southern District
		of Ohio.

This cause came on to be heard on the

Monday March 6th 1882, continued

transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Gray.

(Mr. Justice Matthews did not sit in this cause and took no part in the decision)

Wilson Ager and Elisha C. Ager		Appeal from the Supreme Court of the District of Columbia.
1034	U.S. Appellants.	
Talbot C. Murray.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel — On consideration whereof, It is now here ordered, adjudged,

and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

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193 John L. Heald vs. Pfff. in Error / Harvey H. Rice | In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with instructions to award a new trial.

per Mr. Justice Matthews.

	William P. Mason and Walter W. Cabot,	In Error to the Circuit Court of the United States for the District of Massachusetts.
380	vs. Appts. in Error.	
	John Sargent, late Collector of Internal Revenue	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with instructions to render a judgment upon the agreed statement of facts in favor of the plaintiffs below for the amount therein specified.

per Mr. Justice Matthews.

The Union Pacific Railroad Company, Appellant. vs. The United States.	Appeal from the Court of Claims.

160

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed, And that this cause be, and the same is hereby, remanded to the said Court of Claims with instructions to proceed therein in conformity with the opinion of this Court.

per Mr. Justice Matthews

The Chicago & Northwestern Railway Company, Appellant. vs. The United States	Appeal from the Court of Claims

508

This cause came on to be heard on

the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Court of Claims with instructions to render a judgment in conformity with the opinion of this Court.

per Mr. Justice Matthews.

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194 The Chicago, Milwaukee & St. Paul Railway Company, Appellant. vs. The United States.

and

195 The United States Appellant. vs. The Chicago, Milwaukee & St. Paul Railway Company.

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court

of Claims on appeal and cross-appeal and was argued by counsel— On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Court of Claims with instructions to render a judgment in favor of the claimant for the full amount of its claim.

per Mr. Justice Matthews.

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82 | The Chicago, Danville & Vincennes Railroad Company & James H. Ewell vs. William K. Fosdick & James D. Fish | Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel— On consideration

costs; It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Matthews.

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Harlan

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153 The Chicago Danville & Vincennes Railroad Company, James H. Elwell & Biddle Roberts. vs. William R. Fosdick, James L. Fish, Frederick H. Vandekoper, Thomas H. Shannon & John M. Denison.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

Monday March 6th 1882, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Matthews.

Dissenting:
Mr Chief Justice Waite
Mr. Justice Harlan

1084 Michael McCormick, Appellant, vs. John Jay Knox, Comissioner of the Freedmans Savings & Trust Company et al.

Appeal from the Supreme Court of the District of Columbia.

Monday March 6th 1882, continued

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs

per Mr. Justice Woods.

Joseph Lehmbecker and Casper Claes vs Appellants Irwin Holthaus & Anton Holthaus, partners as Holthaus Brothers.	Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and

the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Woods

The County of Moultrie Plff. in Error.	In Error to the Circuit
137 vs.	Court of the
George D. Fairfield.	United States

for the Southern District of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judg-

munity that in the Courts of the State of Illinois.

per Mr. Justice Woods

113	The City of St Louis v. The Knapp, Stout & Co. Company.	Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, Reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer and for further proceedings according to law.

per Mr. Justice Harlan.

827 The Town of Koshkonong, Plff. in Error. vs Oscar F. Burton. | In Error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment in behalf of plaintiff for the amount of the bonds with interest at the stipulated rate and also for the respective amounts of those coupons only which fell due within six years preceding the commencement of this action with interest thereon at the rate established

by the law of the State.

per Mr. Justice Harlan.

	James Pott, Edwin Young and James J. Young, Plffs in Error.	In Error to the Circuit Court of the United States for the Southern District of New York.
113	vs.	
	Chester A. Arthur, Collector of the Port of New York.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. justice Bradley.

1066

Edward A. Merritt, Collector of the Port of New York,
vs.
Samuel Welsh, John Welsh, John Welsh jr, Osgood Welsh, John L. Welsh & Benjamin Perkins.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Bradley

Dissenting:
Mr Justice Matthews.
Mr Justice Harlan.

The American Printing House for the Blind, of Louisville, Kentucky, Appellant
vs.
The Louisiana Board of Trustees of the American Printing House for the Blind, et al.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel—

On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana.

per Mr. justice Bradley.

The German Savings Bank in the City of New York, Appellant in Error, vs. Joseph Pierrepont, Collector of Internal Revenue.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the plaintiff in conformity with the opinion of this Court.

per Mr. Justice Field.

Monday March 6th 1882, continued

192. Judith C. Dillon surviving partner of Dillon & Koontz vs. Robert Riddell. Plff. in Error. | In Error to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Field.

(Mr. Justice Harlan concurred in the judgment but not in the opinion in this cause.)

Monday March 6th 1882, continued

191

David F. Hamock, Administrator of Henry L. Crosser, deceased

vs.

Pltff. in Error

George Davis, William Hughes, Albert McFarland, Jefferson L. Watkins, Edward F. Hope, Melancthon G. Burke, Augustine C. Walker, Felix G. Burke and T. M. Lynn.

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel— On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment for the plaintiff for the amount collected from the insu-

same company, with interest, after deducting the sum already paid to the widow, and the several sums advanced by the defendants.

for Mr. Justice Field.

The St. Louis Smelting and Refining Company	In Error to the Circuit Court of the United States for the District of Colorado.
1881 15 Dissenting in Error.	
Thomas Kemp & Wm. Nuttall.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

for Mr. Justice Field.

Dissenting

459

The St. Louis Smelting and Refining Company, Plff. in Error
vs.
Sarah Ray, C. Christopher, C. A. Lock and F. F. Bruce.

In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Field.

Dissenting:
Mr. Justice Harlan
Mr. Justice Miller

Monday, March 6th 1882 continued

French, Hanna & Company,		Appeal from the
81 vs	Appellants	Circuit Court of
Jonathan K. Hapenstal.		the United
		States for the

District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to overrule the demurrer and proceed thereafter as justice may require not inconsistent with the opinion of this Court.

per the Chief Justice Waite.

91

James S. Spears et al, Appellants vs. Jonathan K. Major, The Board of Trustees of the Wabash & Erie Canal et al.	Appeal from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by Counsel — On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to overrule the demurrer and proceed thereafter as justice may require not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Waite

	The Union Paper Bag Machine Company, William F. Coggshill & William Reed,	Appeals from the Circuit Court of the United States for the Southern District of Ohio.
95	vs Appellants.	
	Morris R. Nixon & William S. Anderson,	
	and	
	Morris R. Nixon & William S. Anderson	
151	vs. Appellants.	
	The Union Paper Bag Machine Company.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, on appeal and cross appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby, re-

manded to the said Circuit Court with instructions to enter a decree against the defendants for one dollar only and costs of suit in said Circuit Court. Costs in this Court to be paid by the appellants in No. 95.

per Mr. Chief justice Waite

(Mr justice Matthews having been of counsel took no part in the decision of this cause.)

The Union Paper Bag Machine Company, William N. Chatfield & William Woods

96 vs. Appellants

Thomas Nixon

and

Thomas Nixon

182 vs. Appellant.

The Union Paper Bag Machine Company, William N. Chatfield & William Woods.

Appeal from the Circuit Court of the United States for the Southern District of Ohio

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, on appeal and cross appeal and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed & each party to pay the costs of their appeal in this Court.

per Mr. Chief Justice Waite.

(Mr. Justice Matthews having been of counsel took no part in the decision of this cause.)

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116 James A. Fowler, Appellant, vs. The City of Memphis. | On consideration of the motion to substitute The Taxing District of Shelby County, Tennessee, for the City of Memphis, as the party appellee in this cause, and no cause to the contrary having been shown as provided by the Rule heretofore issued, It is now here ordered by this Court that said motion be, and the same is hereby, granted, and the Taxing District of

Shelby County, Tennessee, is hereby made the party appellee in this cause, in the place of the City of Memphis, with liberty to resist this appeal.

per Mr. Chief Justice Waite

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146 James N. London, Appellant
vs.
The Taxing District of Shelby County, Tennessee, substituted for The City of Memphis.

Appeal from the Circuit Court of the United States for the Western District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

	H. N. Hatfield, William Hood, Ed Towns, Jafer Company et al,	Appeal from the Circuit Court of the United States for the Western District of
150	vs. Appellants.	
	H. P. Boyle, Jefferson Carnstat	Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

(Mr. Justice Matthews having been of counsel took no part in the decision of this cause.)

	Charles Fox	In Error to the
174	vs. } In Error.	Supreme Court of
	The City of Cincinnati.	the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; And it is further ordered that this judgment be entered nunc pro tunc as of the 9th day of December, A. D. 1881.

per Mr. Chief Justice Waite.

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184 John J. Stewart, Plff. in Error vs. The Town of Lansing. | To the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered

Monday March 6th 1882, continued

and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs.

for Mr. Chief Justice Waite.

115	Kaiser Counte, Plff. in Error vs. Joseph M. Douglass.	In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

for Mr. Chief Justice Waite.

Monday March 6th 1882 continued

Kannie K. Blair and Walter S. Blair, Charles J. Blair, Fannie Blair, and William A. Blair, by Kannie K. Blair, their guardian and next friend.

207 vs. Pffs. in Error.

Franklin D. Gray.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

901	The United States vs. Appellant The Real Estate Sav- ings Bank of Pittsburgh	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

901	The United States, vs. Appellant. John Barnett & Benjamin F. Caldwell doing busi- ness under the firm name & style of J. Barnett & Co.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

The United States, Appellant. vs. Lawrence S. Babbitt.	Appeal from the Court of Claims

107 3

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

Joseph A. Thatcher & Joseph Hanlon, Plffs in Error vs. Watson S. Rockwell.	In Error to the Supreme Court of the State of Colorado

693

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and on the motion to dismiss or affirm which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

	J. Yesler,	In Error to the Su-
553	vs.	preme Court of the
	J. F. Langford	State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on the motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

	The Wilson Packing Co. et al,	On consideration of the motion to advance these cases it is ordered that said motion be, and the same is hereby granted, and the cases are assigned for argument with No. 252, when reached, as one case.
1180	vs. Appellants.	
	The Chicago Packing and Provision Company et al,	
	The Wilson Packing Co. et al,	
1190	vs. Appellants.	
	Robert L. Hunter et al	
	And	
	The Wilson Packing Co. et al,	
1191	vs. Appellants.	
	Robert L. Hunter et al	

for argument with No. 252, when reached, as one case.

per Mr. Chief Justice Fuller

	Charles Hecht,	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. J. Thomas Turner, in support of the same and by Mr. C. A. Mann and Mr. C. F. Potter, in opposition thereto.
912	vs. Pff. in Error.	
	Mary E. Boughton.	

333	The Steamboat Ansteress her engines &c. John V. Baker, claimant &c. et al, vs. Appellants. Augustus D. Terry, C.R. Terry, John Woodgate et al	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the stipulation of counsel on file and motion of Mr. L. L. Benedict, of counsel for the appellees, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed. Costs in this Court to be paid by appellants.

per Mr. Chief Justice Waite.

800	S. L. Jackson et al vs. Appellants. William Hickney.	Mr. Jos. Barnard, of counsel for the appellants, suggested the death of William Hickney, the appellee in this cause, and moved the Court for an order under the

15th Rule to make the proper representatives parties- Whereupon, It is now here ordered by the Court that unless the proper representatives of the said William Hickman, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court the appellants shall be entitled to open the record, and on hearing have the same reversed, if it be erroneous- Provided, that a copy of this order shall be printed in some newspaper at the seat of Government, of general circulation, for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

per Mr Chief justice Waite

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215 The Marine & River Hospitals Mining & Manufacturing Co. et al, 15 Appellants. William L. Bradley.

The argument of this cause was continued by Mr. H. E. Burke and Mr. James B. Campbell; of counsel for the appellee, and concluded by Mr. S. F. Magrath, of counsel for the appellants

Monday March 6th 1882, continued

216 The Continental Bank of the City of New York City, Appellant. v. The United States

The argument of this cause was commenced by Mr. J. R. Dos Passos, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 7th 1882.

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Morrison R. Waite, Chief Justice.

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate justices

John F. Finerty Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. J. Robertson, it is ordered that S. M. Southall, Esquire, of Charlottesville, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. David J. Hill, it is

ordered that John A. Graver, Esquire, of Sioux Iowa, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. H. Lime, it is ordered that George L. Reiff, Esquire, of Lawrence, State of Indiana be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

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216 The Continental Bank Note Co. of New York City, Appellant. vs. The United States

The argument of this cause was continued by Mr. John L. Des Passes of counsel for the appellant, and by Mr. Solicitor General Phillips, of counsel for the appellee, and concluded by Mr. J. L. Des Passes, of counsel for the appellant.

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217 The State of Louisiana ex rel. The Southern Bank, vs. Plff. in Error Edward Tilton, Mayor, &c.

Mr. J. N. Campbell submitted to the consideration of the Court, motion to make Rosalie Blanchard, Louisa Blanchard, Charles J. Tedwald, Jonas N. Roswell and Paul J. Blanc's parties relators in this cause - Also filed and submitted to the consideration of the Court, authority to continue prosecution of suit in the name of the Commissioners liquidating the affairs of the Southern Bank for whom it may concern.

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217 The State of Louisiana ex rel. The Southern Bank, vs. Plff. in Error. Edward Tilton, Mayor, &c.

This cause was argued by Mr. John N. Campbell, of counsel for the plaintiff in error, and submitted on printed arguments by Mr. E. Bermudez, Mr. N. F. Chamberlain, & Mr. H. B. Hornblower, of counsel for the plaintiff in error, and by Mr. B. F. Jonas, and Mr. Henry C. Miller, of counsel for the defendants in error.

209	Edward Bermudez vs. Pltff. in Error The City of New Orleans.	In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion of Mr. John A. Campbell, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

104	Jacob H. Lanman et al, vs. Appellants. The Municipality Francis "Wright" &c.	The argument of this cause was commenced per Mr. A. L. Benedict, of counsel for the appellants, and continued by Mr. H^m. Wirt Dutton, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Wednesday March 8th 1882

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Wm. Allen Butler, it is ordered that H. H. Howe, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas F. Graham & Julia A. Graham 118 15 Appellants. Sarah Ill Linn and Thomas C. Leach	Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and on the motion of Mr. H. H. Phillips on behalf of counsel for the appellants, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Iron Silver Mining Company, 659 15. Plff. in Error Thomas Murphy, Charles Engs & William Bond	In Error to the Circuit Court of the United States for the District of Colorado.

This cause came on to be heard on the transcript of the record from the Cir-

cuit Court of the United States for the Dis-
trict of Colorado and on the stipulation
of counsel on file and motion of Mr. F. W.
Symes, of counsel for the plaintiff in error,
It is now here ordered and adjudged by this
Court, that the judgment of the said
Circuit Court in this cause be, and the
same is hereby, reversed with costs, and
that this cause be, and the same is here-
by, remanded to the said Circuit Court
with directions to enter judgment for the
plaintiff in error and for such further
proceedings as to the said Circuit Court
shall seem meet.

per Mr. Chief Justice Waite.

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102 Jacob M. Duncan et al., appellants, vs. The Steamship Granite State, &c.

The argument of this cause was continued by Mr. H. M. Allen Butler, of counsel for the appellees, and concluded by Mr. F. W. Brewster, of counsel for the appellants.

Wednesday March 8th 1815, continued

	George C. Sims, Admr &c.	The argument of
156	vs.	this cause was
	R. & H. Wilde, Admr. &c.	commenced by

Mr. E. R. Watson, of counsel for the plaintiff in error, and continued by Mr. J. L. Southall and Mr. H. J. Thurston, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday March 9th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Associate Justices

John F. Nealy, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. J. Hubley Ashton, it is ordered that F. M. Speight Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Steamer "Thomas Jefferson"		On motion of Mr. B. J. Ludington, of counsel for the appellant, ordered that this cause be argued in the place of No. 218 and vice versa.
222	vs	Appellant.	
	John H. Cannon.		

	Samuel C. Ludington.		Mr. Solicitor General Phillips, of counsel for the appellee, having
1304	vs	Appellant.	filed in open Court the following certificate, to wit:
	The United States.		

"In the Court of Claims.
December Term, 1881.

Samuel C. Ludington
versus
The United States
} No. 12,115

I hereby certify that it appears of record in this Court that a judgment was rendered in the aforesaid cause dismissing the petition on the 7th day of June A. D. 1880, and that on the 27th day of July A. D. 1880, on application of the claimant an appeal was allowed

to the Supreme Court of the United States from said judgment.

In testimony whereof I hereunto set my hand and affix the seal of said Court of Claims at Washington City this 8th day of March 1882.

John Randolph
Asst Clerk Court of Claims.

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, moved the Court in pursuance of the 9th Rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered and adjudged by this Court, that this appeal from the Court of Claims be, and the same is hereby, docketed and dismissed; And that this cause be, and the same is hereby, remanded to the said Court of Claims to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

	The Baltimore & Ohio R. R. Co.	The motion to advance this cause was submitted to the consid-
1039	vs. Pff. in Error.	
	The Pittsburgh, Wheeling & Kentucky R. R. Co.	

eration of the Court on printed arguments by Mr. C. H. Burr in support thereof, and by Mr. J. K. Cowen and Mr. E. J. L. Cross in opposition thereto.

	George C. Rives, Admr, &c.	The argument of this cause was
156	vs. Pff in Error	
	P. F. H. Duke, Admr, &c.	continued by

Mr. W. J. Robertson, of counsel for the defendant in error, and concluded by Mr H. H. Crump, of counsel for the plaintiff in error.

	The Steamer "Potomac" &c.	This cause was
222	vs. Appellants.	argued by Mr.
	John W. Cannon.	F. D. Lincoln,

of counsel for the appellants, and by Mr. H. H. Howe, of counsel for the appellee.

C. E. Mitchell, Administrator &c.
221 vs. Appellant
J. N. Dowell & J. N. Mandeville &c.
And
J. N. Dowell & J. N. Mandeville &c.
467 vs. Appellants
C. E. Mitchell, Administrator &c.

These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. S. S. Dean and Mr. A. W. Williams, of counsel for the appellant in No. 221, & appellee in No. 467 and by Mr. J. N. Garland & Mr. H. H. Henderson, of counsel for the appellee in No. 221 & appellants in No. 467.

St. Anna's Asylum
218 vs. Plff. in Error
The City of New Orleans.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. T. Merrick, and Mr. J. H. Rose, of counsel for the plaintiff in error, and by Mr. Henry C. Miller, of counsel for the defendant in error.

Proclamation being made the Court is ad-

Friday March 10th 1882

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
Stanley Matthews	
Horace Gray	

John G. Nicolay Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that James M. Ryddy, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Friday March 10th 1882 continued

James N. Cunningham 199 vs. Appellant. Frederick E. Ives, John A. Dreher, Charles A. Burdett & Pascal C. Burke, partners as Ives, Dreher & Company.	Appeal from the Circuit Court of the United States for the District of Kentucky

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and on the stipulation of counsel on file and motion of Mr. P. Phillips, in behalf of counsel. It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed. Clerk's costs in this Court to be paid by appellant.

per Mr. Chief Justice Waite

	The Board of School Directors of the Parish of Concordia	In Error to the Supreme Court of the State of Louisiana.
170	vs. Hff. in Error.	
	Joseph Hernandez.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the stipulation of counsel on file and motion of Mr. H. H. Howe, in behalf of counsel. It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs in this Court to be paid by plaintiff in error.

	The United States	On motion of Mr. Solicitor General Phillips, one hour additional time allowed each side in the argument of these cases and leave is hereby
219	vs. Hff. in Error.	
	George N. P. C. Lee and	
	Frederick Kaufman & Richard D. Strong,	
220	vs. Hffs. in Error.	
	George N. P. C. Lee.	

granted three counsel to argue the cases on behalf of the defendant in error.

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219 The United States vs. Plffs. in Error.
George N. P. C. Lee
and
Frederick Kaufman
& Richard T. Strong
220 vs. Plffs. in Error.
George N. P. C. Lee

The argument of these cases was commenced by Mr. H. H. Billingsley, of counsel for the plaintiffs in error and continued by Mr. H. T. Shipman and Mr. S. Ferguson Beach, of counsel for the defendant in error

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Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday March 13th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices

John F. Nicolai Esquire, Marshal.
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas Ryan, it is ordered that Frank Foster, Esquire, of Marion, and John H. Lynn, Esquire, of Emporia, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Charles D. Scott, Executor of Thomas Sayle, deceased, vs. Appellant. The Lake Shore & Michigan Southern Railway Company.	Appeal from the Circuit Court of the United States for the Northern District of Illinois

176

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews

The United States vs. Appellant. William F. Temple.	Appeal from the Court of Claims.

210

This cause came on to be heard on the transcript of the record from the Court

of Claims, and was argued by counsel — On consideration whereof, It is now here ordered, and adjudged by this Court, that the judgment of the said Court of Claims, in this cause be, and the same is hereby affirmed.

per Mr. Justice Woods.

1157 Amelia Bennecke vs. Wm. in Error. The Connecticut Mutual Life Insurance Company.

In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. justice Woods

Monday March 13th 1882, continued

E. A. Scott and Thomas E. Annable, Assignees of The Fort Scott Coal & Mining Company,	In Error to the Circuit Court of the United States for the District of Massachusetts
227 vs. Pitts in Error Nathaniel Thayer.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed and the said Circuit Court with directions to award a new trial.

per Mr. Justice Woods

Dissenting:
Mr. Justice Field,
Mr. Justice Gray.

114	Charles E. Lewis, Plff. in Error vs. The Board of County Commissioners of the County of Barbour.	In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the plaintiff below.

per Mr. justice Harlan.

216	Rebecca D. Young, Executrix of John K. Young, deceased, Plff. in Error vs. The American Steamship Company.	In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Field.

1075	The United States vs. Richard H. Tyler	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause be, and the same

is hereby affirmed.

per Mr. Justice Miller.

Augustus H. Barbin, Assignee in bankruptcy of David Leigh, vs. Appellant James L. Flint, Executor of Thompson J. S. Flint, deceased.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. justice Miller.

169	James Brunwood, Appellant. vs. The Union Freight Railroad Company.	Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

151	The Gould's Manufacturing Company, Appellant. vs. John P. Cowing, George Cowing & Philo Cowing, of New York.	Appeal from the Circuit Court of the United States for the Southern District

Monday, March 13th 1852, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to sustain the fifth exception to the report of the master and enter a decree against the appellees for the sum of four thousand, four hundred and seventy dollars ($4,470) and costs.

per Mr. Chief Justice Taney.

D. M. Russell, H. H. Morrell, H. Middleton, et al., appellants
vs.
P. H. Randall, surviving partner of Parker & Randall.

Appeal from the District Court of the United States for the Northern District of Mississippi.

934

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Mississippi, and on the motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

	Adolphus Brandies et al.	On consideration
1043	-vs- Appellants.	of the motions
	John Cochrane et al.	to dismiss and

for a writ of Certiorari in this cause. It is ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Waite.

	The Baltimore & Ohio R. R. Co	On considera-
1039	-vs- Pff in Error	tion of the
	The Pittsburgh, Wheeling &	motion to
	Kentucky Railroad Co.	advance this

cause. It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

	The Chicago St. Louis & New Orleans R. R. Co.	In Error to the Supreme Court of the State of Mississippi.
168	vs. Hyp. in Error	
	The Mississippi Valley Co.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion - It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

	The Spring Valley Works,	Ordered by the Court that the submission of this cause under
193	vs. Hyp. in Error	
	Indemnity Mutual &c.	

the 20th Rule be set aside and that the cause be assigned for oral argument on

the first Monday in November next.

per Mr. Chief Justice Waite.

	Maggie K. Flagg et al,	On considera-
157	vs. Appellants.	tion of the
	Samuel Walker	motion of
		Hiram Gibby.

the surety on the supersedeas bond in this cause, to dismiss this appeal or for an order relieving him from all liability on said bond, or to vacate the supersedeas in this cause - It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite

	Thomas L. James,	On considera-
630	vs. Appellant.	tion of the
	Christopher C. Campbell et al	motions to
	Samuel R. Cleston,	modify the
767	vs. Appellant.	decree in these
	C. C. Campbell, Assignee et al	cases as to costs
	and	and to reform
	Christopher C. Campbell	the taxation
769	vs. Appellant	of costs as to
	Thomas L. James et al.	Samuel R. Cles-

ton, Horace F. Caswell, and Charles Eddy, their Trustees, It is ordered that the motion for a modification of the decree be, and the same is hereby denied, and that the motion to reform the taxation of costs be granted so far as to charge the said Clinton, Caswell, and Eddy, their Trustees, with one-third rather than one-half the cost of printing the record. In all other respects the said motion is denied.

per Mr. Chief justice Waite

Moses Warren,
vs. } In Error.
Joseph M. Stoddard

Mr. Ian R. Riggins, of counsel for the plaintiff in error, suggested the death of Moses Warren, the plaintiff in error in this cause, and moved the Court for leave to enter the appearance of Julia F. Warren, Executrix of Moses Warren, as the party plaintiff in error in this cause. Whereupon, It is ordered that said Julia F. Warren, Executrix of the said Moses Warren, deceased, as aforesaid, be, and she is hereby, entered and made the party plaintiff in error in this cause with liberty to prose-

Monday March 13th 1882, continued

ered this writ of error.

207	Samuel C. Ludington vs. The United States.	Appellant.	On motion of Mr Charles Case, leave is hereby granted the Clerk to issue the Mandate in this cause

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1044	Marshall N. Twitchell, Elizabeth Twitchell, Jesse L. Steele, and Marshall N. Twitchell jr, a minor by his guardian and tutrix Elizabeth Twitchell, vs. George N. Stafford, Executor of Leroy N. Stafford, deceased.	Pffs. in Error	In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the stipulation of counsel on file and motion of Mr Charles H. Horner of counsel for the defendant in error. It is now here ordered

and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

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203 Joseph Schnebler et al., Appellants. vs. Arnold Hollhaus et al

On motion of Mr. R. N. Parkinson, of counsel for the appellants,

leave is hereby granted the Clerk to issue the Mandate in this cause.

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503 The Chicago & Northwestern Railway Company, Appellant vs. The United States.

On motion of Mr. J. F. Farnsworth, of counsel for the appellant, leave is hereby granted the Clerk to issue the Mandate in this cause.

Monday March 13th 1882, continued

The United States 119 vs. Plff. in Error George W. P. C. Lee and Frederick Kauffman & P. Strong 120 vs. Plff. in Error George W. P. C. Lee plaintiffs in error.	The argument of these cases was continued by Mr. T. J. Robertson, of counsel for the defendant in error, and concluded by Mr. Solicitor General Phillips, of counsel for the

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 14th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite — Chief justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray. — Associate justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. J. Hilton, it is ordered that E. B. Stonnell, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. H. Armstrong, it is

ordered that Oscar Foust, Esquire, of Halsentown, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jared Russell it is ordered that N. H. Swanson, Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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223 Stephen Bird & Thompson Bird, Executors, &c., vs. The Louisiana State Bank. Pltfs. in Error.

This cause was argued by Mr Charles H. Mercer, of counsel for the defendant in error, and submitted on printed arguments by Mr. E. J. Merrick, of counsel for the plaintiffs in error, and by Mr. James McConnell, of counsel for the defendant in error

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224	Dodge, Stark & Company, Appellants. vs. The Excelsior Manufacturing Company et al	This cause was argued by Mr. R. N. Parkinson, of counsel for the appellants, and by Mr. S. S. Boyd, of counsel for the appellees.

225	Emily Sullivan et al Plffs. in Error. vs. N. Durell et al	The argument of this cause was commenced by Mr. Hillsman A. Smith, of counsel for the plaintiffs in error, and continued by Mr. E. T. Hinkelburg, of counsel for the defendants in error, and by Mr. L. D'Laliant, of counsel for the plaintiffs in error

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday March 15th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
Stanley Matthews	
Horace Gray	

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Joseph H. Choate, it is ordered that Livingston Gifford, Esquire, of New York City, and Edward M. Knight, Esquire, of Kansas City, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court

in this behalf by Mr. George Sigford, it is ordered that William H. Neill, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	John M. Daily, late Collector &c,	On motion of Mr. Solicitor General Phillips, of counsel for the plaintiffs in error, and consent of Mr. J. H. Choate, of counsel for the
236	vs. Pltf. in Error.	
	The New York Central & Hudson River Railroad Company.	defendant in error. It is ordered that this cause be, and the same is hereby, passed for the present.

	Emily Sullivan et al,	The argument of this cause was concluded by Mr. L. B. Valliant, of
225	vs. Plffs. in Error.	
	N. Burnell et al.	counsel for the plaintiffs in error.

674	The United States vs. Appellant. Duncan Kennedy	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Solicitor General Phillips, of counsel for the appellant. It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed, on the authority of the decision of this Court in the case of The United States vs. William T. Sampson, No. 210, October Term, 1881.

per Mr. Chief Justice Waite.

675	The United States vs. Appellant. Jacob H. Miller.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion of Mr. Solicitor General Phillips, of counsel for the

appellant— It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed, on the authority of the decision of this Court in the case of The United States vs. William Semple, No. 210, October Term 1881,

per Mr. Chief Justice Waite.

The Trustees of the Internal Improvement Fund of the State of Florida:	This cause was argued by Mr. C. H. Jones, of counsel for the appellants, and by Mr. Jeff. Chandler, of counsel for the appellee.
661 15 Appellants.	
Charles F. Greenough, Adm'r, &c.	

The Memphis & St. Louis Railroad Company,	This cause was submitted to the consideration of the Court on the record and printed
961 15 Plff in Error.	
J. A. Joslin, Collector, &c.	

arguments by Mr. H. G. O. Thomas, of counsel for the plaintiff in error, and by Mr. S. H. Garland, of counsel for the defendant in

Wednesday March 15th 1882, continued

Error

Ex parte: In the matter of William D. Slaylor, Petitioner.	This cause was argued by Mr. Alfred Russell of counsel for the

(Original -

petitioner, and by Mr. J. T. McGowan of counsel for the respondent.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Thursday March 16th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John Marshall Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices

John F. Hoober, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

No. 661, 18. The Trustees of the Internal Improvement Fund of the State of Florida, Appellants. v. Greenough, Admr. &c.

On motion of Mr. W. L. Woods on behalf of Mr. C. H. Jones, of counsel for the appellants, leave is hereby granted to file additional brief for the appellants.

181	The United States vs. Plff. in Error. Lewis Rindskopf et al.	This cause was argued by Mr Solicitor General Phillips, of counsel for the plaintiff in error, and by Mr. J. C. Collrill and Mr. C. E. Mayer, of counsel for the defendants in error.

128	The United States vs. Plff. in Error Fancy Hunt, Executrix &c.	This cause was argued by Mr. Solicitor General Phillips, of counsel for the plaintiff in error, and submitted on printed argument by Mr. H. L. Nugent, of counsel for the defendant in error.

129	Terrill, Norton & Co. vs. Appellants. N. J. and Mary B. Phelps.	This cause was argued by Mr. James J. George, of counsel for the appellees, and submitted on printed arguments by Mr. H. L. Nugent, of counsel for the appellants, and by Mr. E. Jeffords and Mr. Chas. H. Clarke, of counsel for the appellees.

230	Hiram D. Bennifield vs. Appellant in Error George H. Price.	This cause was submitted to the consideration of the Court on the printed argument by Mr. John H. Hammond, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

231	Charles Suydel, vs. Appellant. The City of Brooklyn "	The argument of this cause was commenced by Mr. Geo. Harding, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday March 17th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wilkinson Call, it is ordered that Samuel A. Linder, Esquire of Fairview Spring, State of Florida, and John Ambler Smith, Esquire, of Richmond, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

1319	The United States vs. Plaintiff Sebastian Crosby's Exrs.	On motion of Mr. Solicitor General Phillips, of counsel for the plaintiff.

It is ordered that this cause be, and the same is hereby, advanced and assigned for argument on the 10th day of April next.

231	Charles Seidel vs. Appellant The City of Brooklyn.	The argument of this cause was continued by Mr. William C. De Witt, of counsel for the appellee, and concluded by Mr. George Harding, of counsel for the appellant.

232	The Phoenix Mutual Life Insurance Company, vs. Plff. in Error Caroline R. Doskie dal.	The argument of this cause was commenced by Mr. J. C. Barnard, of counsel for the plaintiff in error, and concluded by Mr. John A. Lynn and Mr. Frank Closter, of counsel for the defendants in error.

Friday March 19th 1882 continued

74	The United States vs. Duncan Kennedy and	On motion of Mr. James Lowndes, leave is hereby granted the Clerk to issue the Mandate in these cases
75	The United States vs. Jacob H. Miller.	

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday March 20th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Associate Justices

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray

John D. Arkinson Esquire, Marshal
and H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Hon. Allen Bolton, it is ordered that Abraham L. Longer, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court

in this behalf by Mr. Solicitor General Phillips, it is ordered that Robert J. Ingersoll Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Woodworth, it is ordered that Lysander G. Hill, Esquire, of Omaha, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The New Orleans, Mobile & Texas Railroad Co. et al., Appellants. vs. Henry Ellerman.	Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Louisiana, and was argued by counsel— On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana with directions to dismiss the bill.

per Mr. Justice Matthews

Dissenting:
Mr. Justice Woods.

	Richard Dauly	Appeal from the
141	vs. Appellant.	Circuit Court of
	David Krantz Sr.	the United States
	David Krantz Jr. &	for the District
	George H. Krantz.	of Kentucky.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel—

On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

(Mr. Justice Harlan did not sit in this cause and took no part in the decision).

513	Moses Taylor, vs. The City of Ypsilanti.	In Error to the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, And that this cause be, and the

same is hereby remanded to the said Circuit Court with directions to set aside the judgment and verdict in the Court below and for such further proceedings as may be in conformity with the opinion of this Court

per Mr. Justice Nelson

The National Steam Navigation Company,

140 vs. Appellants.

Joseph W. Dyer, William Leavitt, Samuel P. Shaw et al

and

Joseph W. Dyer, William Leavitt, Samuel P. Shaw et al.

143 vs. Appellants.

The National Steam Navigation Company.

Appeals from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, on appeal and cross-appeal, and was argued by counsel—

On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be affirmed except so far as it condemns the respondents to pay the whole amount of damages sustained by the libellants and intervenors, and as to that portion thereof that the said decree be, and the same is hereby, reversed; And that this cause be and the same is hereby, remanded to the said Circuit Court with instructions to modify its said decree and take such further proceedings as may be necessary to carry out the principles laid down in the opinion of this Court. Each party to pay the costs of their respective appeals in this Court

per Mr. Justice Bradley.

	William Henry Smith Collector of the Port of Chicago,	In Error to the Circuit Court of the United States for the Northern District of Illinois.
213	vs.	
	Marshall Field, Levi J. Leiter, Lorenzo D. Woodhouse, Henry Field, Henry J. Fielding and Joseph K. Field.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. justice Field.

211	The United States vs. The Rock Island Granite Company.	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Field.

Dissenting:
Mr. Justice Miller
Mr. Justice Harlan
Mr. Chief Justice Waite.

140	Reuben H. Pollard and Stephen Pettus, partners as Pollard, Pettus & Co. vs. N. J. Hinton.	In Error to the Circuit Court of the United States for the District of Kentucky.

Monday March 20th 1882, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel — On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

(Mr. Justice Harlan did not sit in this cause and took no part in the decision.)

	Lawson T. Pollard and Stephen Pettus, partners as Pollard, Pettus & Company,	In Error to the Circuit Court of the United States for the District of Kentucky.
111	vs.	
	The United States Mail Line Company.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel — On consideration whereof, It is now

were ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller.

(Mr. Justice Harlan did not sit in this cause and took no part in the decision)

1186	Ira Davenport vs The County of Dodge.	In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity

with the opinion of this Court.
per Mr. Chief Justice Waite.

Charles Nicht,	In Error to the Su-
919 vs. Pltff in Error	preme Court of the
Mary E. Bonfield	Territory of Wyoming.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Wyoming, and on the motion to dismiss which was argued by counsel. On consideration whereof, It is ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The United States,	In Error to the Su-
210 vs. Pltff in Error.	preme Court of the
The Union Pacific	Territory of Wyoming.
Railroad Company.	

This cause came on to be heard on the transcript of the record from the Su-

Monday March 26th 1883, continued

preme Court of the Territory of Wyoming, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite

The Continental Bank Note Company of New York, Appellant. vs. The United States

Appeal from the Court of Claims.

216

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

350	William P. Mason &al. vs. John Sargent late Collector &c.	Pltfs. in Error	On motion of Mr. Solicitor General Phillips, of counsel for the defendant in error, leave is hereby granted the Clerk to issue the Mandate in this cause.

369	The Board of School Directors of the Parish of Avoyelles, vs. Joseph Hernandez.	Pltf. in Error	in Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the stipulation of counsel on file and motion of Mr. H. H. Howe, on behalf of counsel - It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Waite.

166	David E. James, Appellant vs. Hiram W. Cornick.	The motion to rescind and annul the decree of dismissal entered by this Court in this cause on the 6th day of December, 1881, was submitted to the consideration of the Court by Mr. J. Amber Smith, in support of the same, and by Mr. H. Johnston and Mr. J. A. Campbell, in opposition thereto.

1156	Thomas H. Darby and Frederick P. Stanton Appellants vs. The La Abra Silver Mining Company et al.	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the motion of Mr. Joseph Miller, of counsel for the appellants, It is now hereby ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite

The Home Mutual Life Insurance Company, 233 vs. Plff. in Error. Caroline L. Foster et al	The argument of this cause was concluded by Mr. N.C. Barnard, of counsel for the plaintiff in error.

The New York Guaranty & Indemnity Company 235 vs. Plff. in Error. The Board of Liquidation of the State of Louisiana.	The argument of this cause was commenced by Mr. S.H. Howe, of counsel for the plaintiff in error; and concluded by Mr. J.A. Bronx and Mr. James Lingan, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 21st 1882

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite — Chief Justice

Samuel F. Miller,
Stephen J. Field
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
} Associate Justices.

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr Wm H. Armstrong it is ordered that Robert P. Allen, Esquire, of Williamsport, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Wallace S. Jones and John Jones, Executors &c. &c.,	Mr. A. J. Hammond in behalf of counsel for the appellants, suggested the death of Alfred Cuthbert, one of the appellants
352	vs. Appellants,	
	Wm. R. Robertson & Wm. Hunter, Executors &c.	

in this cause, and moved the Court for leave to enter the appearance of Anne M. Cuthbert, widow, and Alfred Cuthbert jr. and Mary C. Cuthbert, children and heirs at law of Alfred Cuthbert, as parties appellants in this cause. Whereupon It is ordered that said Anne M. Cuthbert widow, and Alfred Cuthbert, Jr., and Mary C. Cuthbert, children and heirs at law of Alfred Cuthbert, deceased, as aforesaid, be, and they are hereby, entered and made parties appellants in this cause with liberty to prosecute this appeal.

	The New York Guaranty & Indemnity Company,	The argument of this cause was continued by Mr. James Lingan, of counsel for the defendant in error,
733	vs. Plff. in Error.	
	The Board of Liquidation of the State of Louisiana.	

and concluded by Mr. William Henry Fuller, of counsel for the plaintiff in error.

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234 John L. Bacon et al, Appellants. vs. George C. Kinsey et al

This cause was argued by Mr. Wm L Royall, of counsel for the appellants, and by Mr. E. A. Nelson, of counsel for the appellees.

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235 The Amoskeag National Bank, Plff in Error vs. The Town of Ottawa

Ordered by the Court that this cause be, and the same is hereby passed until the 249 is reached

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236 Alfred Marchand, Plff in Error vs. Henry Nielsen

The argument of this cause was commenced by Mr. Charles H. Horner, of counsel for the plaintiff in error, and continued by Mr. H. Hamill Phillips, of counsel for the defendant in error.

Proclamation being made the Court is

Wednesday March 12, 1884

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Morrison R. Waite — Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
William B. Woods
Stanley Matthews
Horace Gray
— Associate Justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Philip Phillips it is ordered that Roger A. Pryor, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. William A. Maury, it is ordered that John H. Daniel, Esquire,

of Lynchburg, State of Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Trustees of the Internal Improvement Fund of the State of Florida 601 vs. Appellant. C. P. Greenough, Admr &c.	On motion of Mr. Jos. Chamber, of counsel for the appellee, leave is here granted him to file an additional brief in this cause

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Alfred Marchand, 236 vs. Plff. in Error. Henry Freilsen.	The argument of this cause was continued by Mr. H. Baliett Phillips, and Mr. Phillips Phillips, of counsel for the defendant in error, and concluded by Mr. C. H. Horner, of counsel for the plaintiff in error.

237	The Cincinnati, Portsmouth, Big Sandy & Sciotoville Packet Co., Appellant. vs. The Board of Trustees of the Town of Catlettsburg.	This cause was submitted to the consideration of the Court on the record and printed argument by Mr J. S. Rounsell, of counsel for the appellant no counsel appearing for the appellee.

238	The United States, Appellant vs. Bernard Emmerstad.	This cause was argued by Mr. Solicitor General Phillips, of counsel for the appellant, and submitted on printed argument by Mr. George C. Hazleton and Mr. D. A. Finney, of counsel for the appellees.

239	J. A. Wade vs. The Town of Walnut. Appellant in Error.	Reargument of this cause was commenced by Mr. Thomas J. Mc Clelland, of counsel for the plaintiff in error, continued by Mr. H. C. Goudy, of counsel for the defendant in error, and concluded by Mr. George A. Sanders of counsel for the plaintiff in error.

C. P. and H. S. Mead, vs. Appellees in Error J. Hargrave and Benjamin Morgan	This cause was argued by Mr. C. J. Hilyer, of counsel for the plaintiffs in error, and by Mr. H. Hallett Phillips, of counsel for the defendants in error.

The Cecil National Bank of Port Deposit vs. The Walsontown Bank. Appellant.	The argument of this cause was commenced by Mr. H. N. Armstrong, of counsel for the appellant

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Thursday March 23rd 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
William A. Woods
Stanley Matthews
Horace Gray.
} Associate justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William A. Maury, it is ordered that C. C. McRae, Esquire, of Manchester, and Geo. K. Mason, Esquire, of Richmond, State of Virginia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court on this behalf by Mr. Ossian Ray, it is

ordered that Harry Bingham Esquire, of Littleton, State of New Hampshire be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court on this behalf by Mr. Thomas J. McWilliams, it is ordered that John N. Elas, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

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237 The Cincinnati, Portsmouth, Big Sandy & Pomeroy Packet Co., Appellant
vs.
The Board of Trustees of the Town of Catlettsburg.

Mr. L. S. Hounshell, of counsel for the appellant, moved the Court to set aside the submission of this cause and to grant him leave to argue the same orally. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Thursday March 23rd 1882, continued

241 The Cecil National Bank of Port Deposit, vs. The Halsantown Bank. Appellant.

The argument of this cause was continued by Mr. William N. Armstrong, of counsel for the appellant, and by Mr. Oscar Foust, and Mr. R. P. Allen, of counsel for the appellee, and concluded by Mr. John N. J. Dressant, of counsel for the appellant.

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242 The City of Manchester, vs. Plff in Error. C. A. Ericsson.

The argument of this cause was commenced by Mr. Wm. A. Maury, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday March 21st 1882

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
— Associate Justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Philip Phillips, it is ordered that James H. Whitney, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Phil-

bers, it is ordered that Francis H Dugue, Esquire, of Bangor, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr S. F. Willenden, it is ordered that John S Blankman, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr James J. Dorse, it is ordered that James Fentress, Esquire, of Palmar, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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237 The Cincinnati, Portsmouth, Big Sandy & Pomeroy Packet Co. v. The Board of Trustees of the Town of Catlettsburg. Appellant.

On consideration of the motion to set aside the submission of this cause and for leave to argue the same orally - It is ordered that said motion be, and the same is hereby, denied.

per Mr Chief Justice Waite.

Ex parte: In the matter of John N. Mason, Petitioner

Mr. James M. Lydecker, of counsel for the petitioner, submitted to the consideration of the Court, a motion for leave to file petition for Writs of Habeas Corpus and Certiorari.

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242 The City of Manchester v. Pfg. in Error. C. J. Eriksson.

The argument of this cause was continued by Mr. C. H. Meredith and Mr. S. R. Mason, of counsel for the defendant in error, and concluded

by Mr. C. C. McRae, of counsel for the plaintiff in error.

	U. S. & N. J. Winston,	These cases were argued by Mr.
243	vs. Appellants.	N. J. Riddle, of
	Bliss Wilcox, owner &c.	counsel for the
	and	appellants in No.
	Bliss Wilcox, owner &c	243 and appellees
1211	vs. Appellant.	in No. 1211, and
	U. S. & N. J. Winston.	by Mr. L. Prentiss,

of counsel for the appellants in No 1211 and appellees in No. 243.

	Edward Miller and	This cause was
	William Matthews	submitted to the
244	vs. Appellants.	consideration of
	The Delaware, Lackawanna	the Court on the
	& Western R. R. Co.	record and printed

argument by Mr. Herman Hoffard and Mr. N. J. Fenton, of counsel for the appellants. No counsel appearing for the appellee.

Friday March 24th 1882 continued

245 Asa Johnson et al, vs. Appellants
The Flushing & North side Railroad Co.

The argument of this cause was commenced by Mr. Thomas Brackett, of counsel for the appellants

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Proclamation being made the Court is adjourned until Monday next at twelve o'clock

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Monday, March 27th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray — Associate Justices.

John F. Nicolay Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Philip Phillips, it is ordered that Addison C. Gibbs, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. Benton McMillin, it

is ordered that Wm Henry Smith Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Shellabarger, it is ordered that John F. Lewthus Esquire, of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Township of New Buffalo, Pltff in Error vs The Cambria Iron Co.	In Error to the Circuit Court of the United States for the Western District of Michigan.

189

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is

now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same rate prescribed by the judgment of the Circuit Court.

for Mr. justice Harlan

Samuel R. C. Matthews, Richard Hood, Edward Hood, Hugo Hood, Randolph Hood and Walter Hood

35 15 Appellants.

vs.

The Boston Machine Co, William C. Coffin, President, H. H. Hart, Treasurer, & Charles Carr, Superintendent.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court,

that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

230	Wesley J. Bonnifield, Plff in Error. vs. George F. Price.	In Error to the Supreme Court of the Territory of Wyoming.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Wyoming, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs, on the authority of the decision of this Court in the case of Grant vs. Coughlin, No. 915, October Term 1881

per Mr. Chief Justice Waite.

Cyrus Dickerson et al., Owners & Claimants of the Schooner "S. C. Tryon"		Appeal from the Circuit Court of the United States for the District of Maryland
1121	18	Appellants.
The Merchants Steamship Company of Charleston, S.C.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and on the motion to dismiss or affirm, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that decrees bear in the Courts of the State of Maryland.

per Mr. Chief Justice Waite.

193	Stephen Bird and Thompson Bird, testamentary Executors of John Bird, deceased, Pltfs in Error vs The Louisiana State Bank.	In Error to the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana.

1135	Benjamin H Rogers et al. vs. Henry K. Parr et al.	Appellants.	On consideration of the motion to dismiss this cause - It is ordered that the said motion so far as it is predicated upon the order of the Court below vacating its allowance of the appeal be, and the same is hereby, denied, and that the further consideration of the questions presented by the other branch of said motion be postponed until the hearing of the cause on its merits.

per Mr. Chief Justice Waite.

	Ex parte: In the matter of John H. Mason.	Petitioner.	On application of Mr. J. T. Digelow, leave is hereby granted him to file a protest against the right of Mr. James H. Ryddy to appear in this cause and against granting him leave to file petition for Writs of Habeas Corpus and Certiorari.

170	N. L. Whiteside, vs. J. C. Haselton et al	Appellant.

The motion to dismiss this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George Norris, in support of the same, and by Mr. Wm. Henry Hall, in opposition thereto.

681	The Commonwealth of Virginia and The Board of Public Works of Virginia vs. William Butler Duncan and Samuel L. M. Barlow, survivors of themselves & Francis Skiddy, dec'd, Trustees of the Atlantic, Mississippi & Ohio R. R. Co. et al	Appellants.

Appeal from the Circuit Court of the United States for the Eastern District of Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and on the stipulation of counsel on file and motion of Mr. J. Amblar Smith, in behalf of counsel -

It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

for Mr. Chief justice Waite

	The Town of Prairie et al.,	On motion of
1001	vs Plffs. in Error.	Mr. Wm. C. Earle,
	William Lloyd, Clerk, et al	in behalf of
		counsel, Ordered

that the motion to dismiss in this cause be postponed until the 24th of April.

	The State of Ia. Ex rel:	Mr. H. N. Beckham,
	John Elliott et al.	of counsel for the
115	vs Plffs. in Error.	plaintiffs in error
	Allen Jamel, Auditor,	and appellants, filed
	et al	and submitted to the
	and	consideration of the
	John Elliott et al	Court, motion to
156	vs Appellants.	advance these cases.
	Louis K. Kelly, Gov-	
	ernor et al.	

The State of New Hampshire, Complainant
2 Original - vs
The State of Louisiana et al. Defendants

Mr. J. H. Graham, of counsel for the complainant, filed and submitted to the consideration of the Court, motion to assign this cause for argument.

The State of New York, Complainant
6 Original - vs
The State of Louisiana et al. Defendants

On motion of Mr. Wm. M. Dwer, of counsel for the complainant, ordered that the depositions received by the Clerk in this cause be opened and filed.

The State of New York, Complainant
6 Original - vs
The State of Louisiana et al. Defendants

Mr. Wm. M. Dwer, of counsel for the complainant, filed and submitted to the consideration of the Court, motion to assign this cause for argument.

	Wm Troy, William Matheson, Isabel S. Coleman, Mary K. Merton, Jay Fisher, John Sim, C. D. Filzhugh, Long Lee, and James O'Neil	Mr. Walter H. Smith, of counsel for the defendants in error, having filed in open Court certified copies of the Writ of Error
13 15	15 Files in Error.	
	Edward Field & Horatio S. Sanford.	

Citation and Bond in this cause and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, moved the Court, in pursuance of the 6th rule, to have said writ of error dockéted and dismissed. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause to the Supreme Court of the Territory of Arizona be, and the same is hereby, dockéted and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice

per Mr. Chief-justice Waite.

Asa Johnson et al,	On motion of Mr
245 vs Appellants	Thomas Bracken, of
The Flushing & North-	counsel for the appel-
side Railroad Co.	lants, leave is hereby
	granted him to file an

additional brief in this cause

Asa Johnson et al,	The argument of this
245 vs Appellants	cause was continued
The Flushing & North-	by Mr Thomas Bracken
side Railroad Co	of counsel for the ap-
	pellants, and by Mr

Andrew McCallum and Mr. S. L. Law, of counsel for the appellee, and concluded by Mr. B. F. Butler, of counsel for the appellants

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Albert Schaffer et al,	This cause was argued
Executors &c,	by Mr. Geo. A. King,
246 vs Plffs in Error	of counsel for the
The Washington City,	plaintiffs in error,
Virginia Midland and	and by Mr. Linden
Great Southern Rail-	Kent, of counsel for
road Company.	the defendant in
	error

219	The Board of County Commissioners of Preble County, Plff. in Error vs. William R. Hibbins	Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

219	Augustus T. Post vs. Plff. in Error The Board of Supervisors of Kendall County and The Aroostook National Bank vs. Plff. in Error The Town of Ottawa.	Ordered by the Court that these cases be, and the same are hereby passed.

250	E. A. Hitchcock vs. Plff. in Error Wm. O. Buchanan et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thomas J. Allen, of counsel for the plaintiff in error, and by Mr. O. H. Thomas, of counsel for the defts. in error.

Proclamation being made, the Court is adjourned

Tuesday March 28th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
William B. Woods	
Stanley Matthews	
Horace Gray.	

John F. Lincoln, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. C. H. Jones it is ordered that Henry C. Parsons Esquire, of Williamsport, and M. J. Elliott and J. Harrison Esquires, of Hollidaysburg, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in

On motion first made to the Court in this behalf by Mr. A. A. Ramsey, it is ordered that John C. Lane, Esqure, of Norwood, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lewis Sanders, it is ordered that B. F. Blair, Esqure, of Brooklyn, State of New York, be admitted to practice as a attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. J. Henderson, it is ordered that William L. Gross, Esqure, of Springfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of The Baltimore & Ohio R. R. Co. Petitioner.

No Original.

Mr J. N. B. Latrobe, asked and obtained leave to file petition for a Writ of Mandamus and

submitted to the consideration of the Court, motion for a rule to show cause why said writ should not issue.

164	The City of New Orleans vs. John A. Morris, Frank H. Howard, William S. Peterkin and James Hadick.	Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the stipulation of counsel on file and motion of Mr. S. F. Jones, of counsel for the appellant. It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana.

per Mr. Chief Justice Waite

210	The United States vs. Appellant. William F. Semple and The United States vs. Appellant. The Rex Island Transit Company.	On motion of Mr. H. A. McKenney, in behalf of counsel for the appellees, leave is hereby granted the Clerk to issue the Mandate in these cases.

251	The City of Hannibal, vs. Plff. in Error. Thomas Saunderson.	This cause was argued by Mr. Chester H. Krum, of counsel for the plaintiff in error, and submitted on printed argument by Mr. James Grant, of counsel for the defendant in error.

Tuesday March 28th 1882, continued

	The Wilson Packing Co. et al.,	On motion
252	vs. Appellants.	of Mr. Wm
	William B. Clafflin	Henry Clifford,
	The Wilson Packing Co. et al.,	of counsel for
1180	vs. Appellants.	the appellants,
	The Chicago Packing and	ordered that
	Provision Company et al.	two hours
	The Wilson Packing Co. et al.,	additional
1190	vs. Appellants.	time be al-
	Robert D. Hunter et al.,	lowed coun-
	and	sel on each
	The Wilson Packing Co. et al.,	side in the
1191	vs. Appellants.	argument of
	Robert D. Hunter et al.	these cases

Tuesday March 28th 1882, continued

751	The Wilson Packing Co. et al, vs. Williams D. Clapp	Appellants.
1180	The Wilson Packing Co. et al, vs. The Chicago Packing and Provision Company et al.	Appellants.
1190	The Wilson Packing Co. et al, vs. Robert D. Hunter et al.	Appellants.
1191	And The Wilson Packing Co. et al, vs. Robert D. Hunter et al.	Appellants.

The argument of these cases was commenced by Mr. Wm Henry Clifford, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday March 29th 1882.

Pursuant to adjournment the Court met today at the Capitol

Present-

The Honorable Morrison R. Waite - Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
William B. Woods
Stanley Matthews
Horace Gray
} Associate justices

John G. Nicolay Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr. John K. Jewett, it is ordered that George H. Smith and William B. Gibbs Esquires, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court on this behalf by Mr. H. C. Claughton, it is

ordered that Courtland N. Smith, Esquire, of Alexandria, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. J. Hammond, it is ordered that George F. Fry, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The German Savings Bank in the City of New York, Plff. in Error vs. Joseph Archbold, Collector, &c.	297	On motion of Mr. Lewis Sanders of counsel for the plaintiff in error, leave is hereby granted the Clerk to issue the Mandate in this cause.

252	The Wilson Packing Co. et al, Appellants. vs. William J. Haff	The argument of these cases was continued by Mr. Wilson Young, Edgerton, of counsel for the appellants, and by Mr. L. L. Coburn, of counsel for the appellees.
1180	The Wilson Packing Co. et al, Appellants. vs. The Chicago Packing and Provision Company et al	
1190	The Wilson Packing Co. et al, Appellants. vs. Robert D. Hunter et al.	
	and	
1191	The Wilson Packing Co. et al, Appellants. vs. Robert D. Hunter et al	

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Thursday March 30th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
William B. Woods
Stanley Matthews
Horace Gray.
} Associate justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

Ex parte: In the matter of Edmund L. Pope and Joseph Cooper Petitioners. | Mr. C. H. Horner asked and obtained leave to file petition for Writ of Mandamus and submitted to the consideration of the Court, motion for a rule to show cause why said writ should not issue.

15 Original

Thursday March 30th 1882, continued

	The Nilson Packing Co. et al,	The argument
252	vs. Appellants.	of these cases
	Milligan & Clapp.	was continued
	The Nilson Packing Co. et al,	by Mr. L. L.
1180	vs. Appellants	Coburn and
	The Chicago Packing and	Mr. John N.
	Provision Company et al,	Jewett, of coun-
	The Nilson Packing Co. et al,	sel for the ap-
1190	vs. Appellants.	pellees, and
	Robert S. Hunter et al	concluded by
	and	Mr. John N.
	The Nilson Packing Co. et al,	Jewett, of
1191	vs. Appellants	counsel for
	Robert S. Hunter et al.	the appellants

	Charles Hansell & Chas. Kern,	The argument of
253	vs. Plffs. in Error	this cause was
	Jefferson Harrison, Assignee, &c.	commenced by

Mr. Lewis Sanders, of counsel for the plaintiffs in error, and continued by Mr. W. F. Elliott, of counsel for the defendant in error

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, March 31st 1882

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
William Strong
Noah Swayne
Stanley Matthews
Horace Gray
} Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. H. Jackson, it is ordered that George E. Buckley, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

253	Charles Hansell & Chas. Kerr, Pffs in Error vs. Jefferson Harrison, Assignee, &c.	The argument of this cause was continued by Mr. M. H. Elliott & Mr. N. C. Parsons, of counsel for the defendant in error, and concluded by Mr Lewis Sanders, of counsel for the plaintiffs in error.

254	Samuel B. Gordon et al, Pffs in Error vs. John S. Butler.	This cause was argued by Mr. Leslie W. Russell, of counsel for the plaintiffs in error, and by Mr. Harry Bingham, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Monday April 3d 1882

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
William D. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

The Honorable Samuel Blatchford appeared and produced the following Letters Patent and oath of office which were read in open Court and ordered to be recorded upon the minutes, in the following words, viz:

Chester A. Arthur,
President of the United States of America.
To all who shall see these Presents, Greeting:

Know Ye, That reposing special Trust and Confidence in the Wisdom, Uprightness and Learning of Samuel Blatchford, of New York, I have nominated, and by, and with the advice and consent of the Senate, do appoint him to be Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Samuel Blatchford, during his good behaviour.

In testimony whereof, I have caused these Letters to be made patent and the Seal of the United States to be hereunto affixed.

Given under my hand, at the City of Washington, the Twenty-second day of March, in the year of our

(Seal) Lord one thousand, eight hundred and eighty-two, and of the Independence of the United States of America, the one hundred and sixth.

Chester A. Arthur.

By the President:
Fred'k T. Frelinghuysen
Secretary of State.

I, Samuel Blatchford, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as an Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding agreeably to the Constitution and Laws of the United States. So help me God.

Sam'l Blatchford

Subscribed and sworn to
before me this 3d day of

April A. D. 1882.

James H. McKenney,
Clerk Supreme Court of the United States

I, Samuel Blatchford, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted, nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution, within the United States, hostile or inimical thereto. And I do further swear that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I

take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

Sam'l Blatchford.

Subscribed and sworn to
before me this 3d day of
April A. D. 1882,
M. R. Waite
Chief justice of the United States.

On motion first made to the Court in this behalf by Mr. J. A. Chalmers, it is ordered that F. A. Reynolds and Barbee McFarland, Esquires, of Aberdeen, and F. A. Montgomery, Esquire, of Rosedale, and H. N. Leray, Esquire, of Greenville, State of Mississippi, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that Thomas H.

Bradley, Esquire, of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. H. Jones, it is ordered that C. S. Sherman, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. F. Leffler, it is ordered that E. C. Mather, Esquire, of Springfield, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Webster, it is ordered that W. H. Zanderson, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an attorney and counsellor of this Court and he was sworn

accordingly.

George Rives, Administrator de bonis non &c. of George Rives, deceased,		In Error to the Circuit Court of the United States for the Western District of Virginia
156	15 Standing in Error.	
	P. H. H. Duke, junior, Administrator de bonis non &c. of William P. Parish, deceased	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

per Mr. justice Gray.

Monday, April 3rd 1882, continued

The Cecil National Bank of Port Deposit & post Jones, Appellants
vs.
The Halsontown Bank

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to modify the decree in conformity with the opinion of this Court.

per Mr. Justice Matthews

Monday, April 3rd 1882, continued

The Marine & River Phosphate Mining & Manufacturing Company et al.,	Appeal from the Circuit Court of the United States for the District of South Carolina.
215 vs. Appellants.	
William L Bradley	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel — On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the rate of twelve per cent. per annum.

per Mr. Justice Matthews.

The United States,	In Error to the
228 vs. Plaintiffs in Error.	Circuit Court
Fanny Hunt, Executrix of	of the United
T. D. Hunt, deceased, Joshua	States for the
Green, John Robinson	Southern Dis-
and H. C. Daniels	trict of Missis-
	sippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Wallbridge

Alfred Marchand	In Error to the
236 vs. Pltff. in Error	Circuit Court of
Henry Freilsen.	the United States

for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana; And that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana.

per Mr. Justice Woods.

1411 — 15 — Edward Mellon and William Matthews, Appellants. vs. The Delaware, Lackawanna & Western R.R. Co.

Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

J. S. Russell, Appellant vs. Jesse P. Farley, receiver of the Saint Paul and Pacific Railroad Co.	Appeal from the Circuit Court of the United States for the District of Minnesota

168

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby

affirmed with costs.

per Mr. Justice Bradley.

The Knickerbocker Life Insurance Company of the City of New York	In Error to the Circuit Court of the United States for the District of South Carolina.
217 vs. Pltf. in Error.	
Bartholomew Foley	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of South Carolina.

per Mr. Justice Field.

Cofesworth P. Read & William Read, Plff. in Error vs. Joseph P. Hargrave and Benjamin Morgan.	In Error to the Supreme Court of the Territory of Arizona.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Arizona, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to award a new trial

per Mr. Justice Field.

The Board of Supervisors of the County of Albany, Plff. in Error vs. Edward N. Hanley.	In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment upon the finding of facts for the plaintiff on the fourth count for the amount of the tax paid by Williams, with interest, and on all the other counts for the defendants.

per Mr. Justice Miller.

Dissenting:
Mr. Justice Bradley.

Charles T. Wells, receiver of Davis & Mitchell & C. Higgins, Marshal of the City of Albany,
117 vs. Appellants.
The National Albany Exchange Bank.

Appeal from the Circuit Court of the United States for the Northern District of New York.

Monday April 3rd 1882, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, and the same is hereby, reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court

per Mr. Justice Miller.

Dissenting:
Mr. Justice Bradley.

The Evansville National Bank of Evansville, Ind.
1149 vs. Appellant
Thomas J. Dillon, Treasurer of Vanderburgh County
And
Thomas J. Dillon, Treasurer of Vanderburgh County.
1156 vs. Appellant
The Evansville National Bank of Evansville, Ind.

Appeals from the Circuit Court of the United States for the District of Indiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed. Each appellant to pay the costs of their appeal on this Court.

per Mr. Justice Miller.

Dissenting.

Mr. Justice Bradley.
Dissenting opinion No 1154,
Mr. Chief Justice Waite
Mr. Justice Gray.

The Western Union Telegraph Company, vs. Pfl. in Error The State of Texas	In Error to the Supreme Court of the State of Texas.

907

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to reverse the judgment of the District Court of Travis County and proceed thereafter as justice may require, not inconsistent with the opinion of this Court.

234	J. H. Wade, Plff in Error vs. The Town of Walnut	In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Chief Justice Waite.

235	William S. Hinsdon & Jeremiah S. Hinsdon vs. Miss C. Wilcox, owner and claimant of the Schooner "A. A. Osborne."	Appeal from the Circuit Court of the United States for the Northern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Northern District of Ohio, and was argued by counsel — On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

Miss C. Wilcox, Owner & claimant of the Schooner "S. S. Osborne"	Appeal from the Circuit Court of the United States for the Northern District of Ohio
1211 vs. Appellant	
William S. Winslow & Hezekiah J. Winslow.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel — On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs

per Mr. Chief Justice Waite.

Monday April 3rd 1882, continued

The Memphis & St. Louis Railroad Company,	In Error to the Supreme Court of the State of Arkansas.
301 vs. Pltf. in Error	
John R. Layton, Collector of Jackson County.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Ex parte. In the matter of William P. Hayden.	Petition for a Writ of Prohibition.
7 Original. Petitioner.	

On consideration of the petition for a Writ of Prohibition in this cause, and of the argument of counsel thereupon had, as well in support of as against the same. It is now here ordered by the Court that

said petition be, and the same is hereby, denied.

per Mr Chief Justice Waite

166	David E. James, Appellant vs. Milligan McCormick	On consideration of the motion to recall and annul the decree of dismissal entered by this Court in this cause on the 6th day of December, 1881, and of the argument of counsel thereupon had as well in support of as against the same. It is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

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16 Original	Ex parte: In the matter of John Anderson Mason, Petitioner	On consideration of the motion of Mr. James M. Lyddy, of counsel for the petitioner, for leave to file petition for Writs of Habeas Corpus and Certiorari - It is ordered that said motion be, and the same is hereby, granted

per Mr. Chief Justice Waite

Monday April 3rd 1852, continued

Ex parte: In the matter of John Anderson Mason, 16 Original. Petition

On consideration of the petition of John Anderson Mason, It is now ordered that cause be shown by Clinton L. McDougall, Marshal of the United States for the Northern District of New York, and John McEwen, Keeper of the Albany Penitentiary, before this Court, at Washington, in the District of Columbia, on the 17th day of April, 1852, at 12 o'clock, noon of that day, or as soon thereafter as counsel can be heard, why a Writ of Habeas Corpus should not issue as prayed in said petition. And it is further ordered that copies of this rule and of the petition on which it is entered be served on the said Clinton L. McDougal and John McEwen and also on the Attorney General of the United States and the Judge Advocate General of the Army at least ten days before the return day thereof.

per Mr. Chief Justice Taney.

The State of New Hampshire, Complainant. vs. The State of Louisiana et al. And The State of New York Complainant. vs. The State of Louisiana et al.	On consideration of the motion to assign these cases for argument. It is ordered that said cases be, and they are hereby assigned for argument on Monday, April 17th. per Mr. Chief Justice Waite.

845 The State of Louisiana Exrel. John Elliott et al, vs. Plffs. in Error. Allen James, Auditor, et al And 856 John Elliott et al, vs. Appellants. Louis A. Wiltz, Governor, et al	On consideration of the motion to advance these cases, It is ordered that said motion be, and the same is hereby, granted, and the cases are assigned for argument on Monday, April 17th. per Mr. Chief Justice Waite.

Order

There having been an Associate justice of this Court appointed since the commencement of this term, It is ordered that the following allotment be made of the Chief justice and Associate justices of said Court among the Circuits, agreeably to the Act of Congress in such case made and provided, and that such allotment be entered of record, viz:
For the First Circuit, Horace Gray, Associate justice
For the Second Circuit, Samuel Blatchford, Associate justice
For the Third Circuit Joseph P. Bradley, Associate justice
For the Fourth Circuit, Morrison R. Waite, Chief justice
For the Fifth Circuit, William B. Woods Associate justice
For the Sixth Circuit, Stanley Matthews, Associate justice
For the Seventh Circuit, John M. Harlan, Associate justice
For the Eighth Circuit, Samuel F. Miller, Associate justice
For the Ninth Circuit, Stephen J. Field Associate justice.

The Chief justice announced that the Court would adjourn for the term on Monday, May 8th, and that no case would be called for argument after Friday, April 28th.

140	O. R. Booth, Plff in Error vs. John M. Tiernan	On motion of Mr. J. S. Farnsworth, in behalf of counsel for the plaintiff in error, leave is hereby granted to file affidavits of value in this cause

141	O. R. Booth vs. Plff in Error John M. Tiernan	The motion to dismiss the writ of error, or affirm the judgment, or vacate the Supersedeas in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. William Darby, in support of the same, and by Mr. D. A. Cook, in opposition thereto.

255	Mary Hammere, Appellant vs. John H. Brooks and J. Hardy, Trustees.	On motion of Mr James Hagerman, of counsel for the appellant, ordered that this cause be, and the same is hereby, continued until the next term per stipulation of counsel

	The Sandusky Seat Co. et al,	The motion to
45	vs. Appellants.	reform the decree
	Theodore Comstock et al.	and mandate in

this cause was submitted to the consideration of the Court on printed arguments by Mr. Wilbur Stone, in support of the same, and by Mr. H. H. Leggett, in opposition thereto.

	The Chicago Life Insurance	The motion to va-
	Company,	cate the Supersedeas in this cause
1101	vs. Plff. in Error	was argued by
	Thomas D. Needles, Auditor, &c.	Mr. James L.

High in support of the same - Whereupon, It is ordered that leave be, and the same is hereby, granted to withdraw said motion.

	The United States	This cause was submit-
257	vs. Plaintiff	ted to the consideration
	J. E. Canda and	of the Court on the rec-
	A. J. Kileens.	ord and printed argu-

ment by Mr. Solicitor General Phillips, of counsel for the plaintiff. No counsel appearing for the defendants.

J. F. Flanders, Deputy Several Agent Treasury Department,	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Phillips of counsel for the plaintiff in error, and by Mr. J. T. Ogden, of counsel for the defendant in error
258 vs. Plff in Error	
N. B. Selby.	

C. H. Upton, Assignee &c,	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Homer Cook, of counsel for the plaintiff in error, and by Mr. Samuel Hubbard and Mr. J. M. Wilson, of counsel for the defendant in error.
260 vs. Plff in Error.	
Thomas N. Kent	

C. H. Upton, Assignee &c,	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Homer Cook, of counsel for the plaintiff in error,
261 vs. Plff in Error	
Daniel McLaughlin.	

and by Mr H. N. Steele, of counsel for the defendant in error.

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262 | C. H. Upton, Assignee &c., Plff in Error vs. J. H. Mason. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Homer Cook, of counsel for the plaintiff in error, and by Mr. Edgar H. Mann, of counsel for the defendant in error.

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263 | C. H. Upton, Assignee &c., Plff in Error vs. William P. Steele. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Homer Cook, of counsel for the plaintiff in error, and by Mr. William P. Steele, the defendant in error, in propria personæ.

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264 | The City of Louisiana, Plff in Error vs. Elizabeth H. Taylor. | This cause was submitted to the consideration of the Court on the

record and printed arguments by Mr. A. J. Dyer and Mr. J. O. Broadhead, of counsel for the plaintiffs in error, and by Mr. Clinton Rowell, and Mr. S. F. Phillips, of counsel for the defendant in error.

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265 | A. M. Lincoln et al., pfffs. in Error, vs. Da. G. French. | The argument of this cause was commenced by Mr. J. M. McGowan, of counsel for the plaintiffs in error.

Proclamation being made the Court was adjourned until tomorrow at twelve o'clock.

Tuesday April 4th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller, Associate Justices
Stephen J. Field
Joseph P. Bradley
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford

John F. Sheehan, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. George H. Williams, it is ordered that C. N. Salah, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

235	The Amoskeag National Bank, Plff in Error, vs. The Town of Ottawa and Augustus F. Post, Plff in Error, vs. The Board of Supervisors of Kendall County.	On motion of Mr. S. B. Perry, It is ordered by the Court that these cases be assigned for argument on Monday, April 17th, after cases already assigned for argument on that day.

1121	Cyrus Nickerson et al, Appellants, vs. The Merchants Steamship Company of Charleston, S.C.	On motion of Mr. George Leiper Thomas, of counsel for the appellee, leave is hereby granted the Clerk to issue the Mandate in this cause.

265	L. M. Lincoln et al, Plffs in Error, vs. Ira T. French.	The argument of this cause was continued by Mr. S. O. Houghton, of counsel for the defendant in error, and concluded by Mr. J. H. McGowan, of

counsel for the plaintiffs in error.

	Mary K. Booker,	Appeal from the Su-
26	vs. Appellant.	preme Court of the
	Carlin N. Stewart	District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the authority of the counsel for the appellant on file, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

	The Swift & Courtney &	This cause was argued
	Boecher Company,	by Mr. George H. Wil-
266	vs. Appellant.	liams, of counsel for
	The United States.	the appellant, and by
		Mr. Solicitor General

Phillips, of counsel for the appellee.

	The Webster Loom Co.	On application of Mr
267	vs. Appellant.	H. M. Evarts of coun-
	E. S. and N. D. Higgins.	sel for the appellee,

ordered that two hours additional time be allowed counsel on each side in the argument of this cause.

	The Webster Loom Co.	The argument of this
267	vs. Appellant.	cause was commenced
	E. S. and N. D. Higgins.	by Mr. Edward J.

Dickerson, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday April 5th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate Justices

John G. Nicolay Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. William M. Evarts, it is ordered that Samuel A. Blatchford, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday April 5th 1882, continued

On motion first made to the Court in this behalf by Mr. George Sifford, it is ordered that Philip J. O'Keiffe, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Webster Lyon Co. vs. E. S. and N. D. Higgins. Appellant.	The argument of this cause was continued by Mr. E. N. Dickerson, of counsel for the appellant, and by Mr. George Sifford, and Mr. William M. Evarts, of counsel for the appellees.

267

Proclamation being made the Court is adjourned until tomorrow.

Thursday, April 6th 1882.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. W. M. Evarts, it is ordered that Charles C. Pearce, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Life Association of America, The Ladies Calhoun Monument Association, John M. Jenkins et al 128 vs. Appellants Calvin Claflin et al.	Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on the motion of Mr. James Lowndes, of counsel for the appellees, and consent of counsel for the appellants, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Life Association of America et al., 128 vs. Appellants. Calvin Claflin et al.	On motion of Mr. James Lowndes, leave is hereby granted the Clerk to issue the Mandate in

this cause.

303	Wm Henry Jessup et al, Plffs in Error vs The United States	On motion of Mr. Solicitor General Phillips, of counsel for the defendant in error, Ordered that this cause be, and the same is hereby, continued until the next term.

333	Henry Kauser et al Plffs in Error. vs U. S. Arthur Collector, &c.	On motion of Mr. Solicitor General Phillips, of counsel for the defendant in error, Ordered that this cause be, and the same is hereby, continued until the next term, per Stipulation on file

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226	John M. Bailey, Collector, &c. Plff in Error vs The New York Central & Hudson River R. R. Co.	On motion of Mr. Solicitor General Phillips, of counsel for the plaintiff in error, Ordered that this cause be assigned for argument on Mon-

day, April 17th, after the cases heretofore assigned for argument on that day.

267	The Webster Loom Co, vs. Appellant E. S. and T. A. Higgins.	The argument of this cause was continued by Mr. H. M. Evarts of counsel for the appellees and concluded by Mr. E. T. Dickerson of counsel for the appellant.

268	Augustus Lauer, vs. Appellant Robert Lamott &c.	Ordered by the Court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel on file.

271	Austin Corbin vs. Appellant. The County of Blank Hawks et al.	The argument of this cause was commenced by Mr. J. D. Campbell, of counsel for the appellant, and continued by Mr Eldredge Parsons, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday April 16th 1872

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
William Strong
Stanley Matthews
Horace Gray
Samuel Blatchford } Associate Justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that William C. Rogers, Esquire of New York City, and Frederick M. Laughton, Esquire, of Bangor, State of Maine, be admitted to practice as attorneys and counsellors of this Court and that were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. H. Horner, it is ordered that Albert Voorhies, Esquire, of New Orleans State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

238 The United States vs. Bernard Emmert and Eliza Sergener, claimants &c. | Appeal from the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed, and the cause remanded to the said Circuit Court, it not appearing that this Court

has jurisdiction in said cause.

per Mr. Justice Gray.

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250 E. K. Hitchcock, pl's in Error
William C. Buchanan and James E. Haugh.

In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

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229 Hewitt, Norton & Co. 15 Appellants
J. J. Phelps & Mary S. Phelps.

Appeal from the Circuit Court of the United States for the Southern

District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

Charles Hansett and Charles Korn, Plffs. in Error. vs. Jefferson Harrison, Assignee in bankruptcy of Edward Bayer.	In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

253

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and

was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Matthews.

Albert Schaller, George R. Gibson, and Charles M. Gibson, Executors of Charles Schaller, deceased. 116 vs. 61 Pkgs. in Error to the Washington City, Virginia Midland & Great Southern Railroad Co.

In Error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by

This Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby affirmed with costs

per Mr. Justice Miller.

James K. Simmons vs. Joseph Ogle.	Appeal from the Circuit Court of the United States for the Southern District of Illinois.

157 This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Miller.

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257 The United States vs. Stanley Ferdinand E. Canda and A. L. Hutchins

On a certificate of division in opinion between the judges of the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and on the points or questions on which the judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, It is the opinion of this Court that the questions certified having arisen on a motion to quash an information cannot be certified to this Court under Section 697 of the Revised Statutes. It is, therefore, now here ordered and adjudged by this Court

that this cause be, and the same is hereby dismissed for the want of jurisdiction. Whereupon, it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr. Chief Justice Waite

Clark H. Tipton, Assignee in bankruptcy of the Great Western Insurance Company,	In Error to the Supreme Court of the Territory of Wyoming.
167 vs.	
J. H. Mason.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Wyoming, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs, on the authority of the decision of this Court in the case of Hecht vs. Boughton, No. 912, October Term 1881.

Clark W. Upton, Assignee in bankruptcy of the Great Western Insurance Company,		In Error to the Supreme Court of the Territory of Wyoming.
163	vs. Plff. in Error	
William R. Steele		

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Wyoming, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs, on the authority of the decision of this Court in the case of Grant v. Houghton, 16. 9½, October Term 1881.

per Mr. Chief Justice Waite.

Ex parte: In the matter of the Baltimore & Ohio Railroad Company,		Petition for a Writ of Mandamus.
14 Original.	Petitioner	

Mr. Chief Justice Waite announced the opinion of the Court.

It seems to us that this case as stated in the application comes clearly within the principle which governed the decision in Chew vs. Hoey and others, 6 Peters, 143; Lion vs. Lambert, 15 How., 347; Deane vs. Piquet, 5 Wall., 503; Paving Co. vs. Mulford, 102 U. S., 147, and others of like character which we have recently had occasion to consider. If counsel for the relators think differently they will be heard in support of their views on printed arguments to be filed on or before Monday next. If no argument is presented by that time the application will be deemed to have been withdrawn.

Ex parte: In the matter of Edmund L. Cope and Joseph Cooper, Petitioners

On consideration of the petition for a Writ of Mandamus and of the motion for a Rule to show cause why said Writ should not issue, It is ordered that said

motion be, and the same is hereby, denied. And it is further ordered that said petition be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	A. L. Whiteside,	On consideration of
170	vs. Appellant.	the motion to dismiss
	J. C. Haselton et al.	this cause, It is ordered

that said motion be, and the same is hereby, denied, without prejudice to its renewal on the final hearing.

per Mr. Chief Justice Waite.

	E. R. Booth,	On consideration
640	vs. Pltf. in Error.	of the motion to
	John M. Tiernan.	dismiss the writ of

error, or affirm the judgment, or vacate the Supersedeas in this cause, It is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

45	The Sandusky Seat Co. et al, vs. Theodore Comstock et al	Appellants.	On consideration of the motion to recall from the decree and Mandate of this Court in this cause, the justices who heard the argument originally being divided in opinion, It is ordered that said motion be, and the same is hereby, denied.

510	Richard S. Allen, vs. William N. McKeighs.	Pff. in Error.	On motion of Mr. F. Phillips, of counsel for the defendant in error, It is ordered that the motion to dismiss or affirm in this cause be, and the same is hereby, postponed until Monday next.

317	The St. Louis National Bank, vs. The United States Insurance Company.	Appellant.	Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and on the stipulation of counsel on file and motion of Mr. William Grimm, in behalf of counsel, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

917	Charles Nicht, Plff. in Error. vs. Mary E. Boughton.	On motion of Mr. William N. Mary, in behalf of counsel for the defendant in error, leave is hereby granted the Clerk to issue the Mandate in this cause

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847	The Board of Supervisors of Albany County, Plff. in Error vs. Edward T. Stanley.	The motion to modify the judgment of this Court in this cause was submitted to the consideration of the Court on printed argument by Mr.

Matthew Hale and Mr. Hagner Swayne, in support of the same.

117	The Crane Iron Company, vs. Amos Hoagland et al and	The motions for writs of Supersedeas in these cases were submitted to the consideration of the Court by Mr. Fillmore
118	Charles Stuart Hardy & Robert Lennox Kennedy vs. Amos Hoagland et al	Pltfs. in Error Pltfs. in Error

Beall, in behalf of Mr. J. C. Shipman, of counsel for the plaintiffs in error.

1204	The Chicago Life Insurance Company, vs. Thomas B. Needles, Auditor &c.	Pltf. in Error. Mr. C. B. Sherman, of counsel for the defendant in error, filed

and submitted to the consideration of the Court, motion to advance this cause.

271	Austin Corbin, vs. Appellant The County of Black Hawk etal.	The argument of this cause was concluded by Mr. Sabastia Cargent, of counsel for the appellees.

1202	The United States, vs. Plaintiffs Silas Crosby Ward.	This cause was argued by Mr. Solicitor General Phillips, of counsel for the plaintiffs, and by Mr. William C. Roberts, of counsel for the defendant.

1253	The National Life Insurance Company of U. S. A. vs. Plff. in Error. Albert Schuyler etal, Executors &c.	The argument of this cause was commenced by Mr. Isaac T. Arnold, of counsel for the plaintiff in error, and continued by Mr. C. C. Palmer, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Tuesday April 11th 1865

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
William B. Woods
Nathan Clifford
Noah H. Swayne
Samuel Nelson
} Associate Justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William Lawrence, it is ordered that Jeremiah Nail, Esquire, of Circleville, State of Ohio, be admitted to practice as an Attorney and counsellor of this Court and he was sworn accordingly.

1187	Amelia Bennecke, Plff. in Error. vs. The Connecticut Mutual Life Insurance Co.	On motion of Mr. H. A. Mckinney, leave is hereby granted the Clerk to issue the Mandate in this cause.

511	The United States Plff. in Error. vs. The Erie Railway Co.	On motion of Mr. Solicitor General Phillips, ordered that this cause be, and the same is hereby, continued until the next term.

215	The Marine & River Phosphate Mining & Manufacturing Company, Defendants. vs. William L. Bradley.	On motion of Mr. S. H. Phillips, in behalf of counsel for the defendant in error, leave is hereby granted the Clerk to issue the Mandate in this cause.

Thursday April 11th 1872 continued

The National Life Insurance Co. of U. S. A.	The argument of this cause was continued by Mr. E. W. Palmer, of counsel for the defendants in error, and concluded by Mr. Van H. Higgins, of counsel for the plaintiff in error.
273 vs. Pff. in Error	
Albert Schaffer et al, Executors, &c.	

Julia P. Warren Executrix &c.	This cause was argued by Mr. Isaac H. Arnold, and submitted on printed argument
274 vs. Pff. in Error	
Joseph M. Hoddard	

by Mr. Van H. Higgins, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

Madame Celestine Carita et al,	The argument of this cause was commenced by Mr. Thomas J. Semmes, of counsel for the appts.
276 vs. Appellants	
Madame Felicite Viotot et al.	

Proclamation being made the Court is

Wednesday April 12th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief justice

Samuel F. Miller
Stephen J. Field
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate justices.

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that Robert H. Smith, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

24	Samuel P. Walker's Executors &c. et al. vs. The United States. Appellants.	On motion of Mr. Solicitor General Phillips, Ordered that this cause be, and the same is hereby, assigned for argument on Monday the 17th inst. after the cases heretofore assigned for argument on that day

276	Madame Celestine Carité et al, vs. Madame Heloïse Trotot et al. Appellants.	The argument of this cause was concluded by Mr. Thomas J. Semmes, of counsel for the appellants; and the cause was submitted on printed argument by Mr. J. P. Horner and Mr. H. A. Bendict, of counsel for the appellees

Wednesday April 12th 1882, continued

	The Court for Court of Falls County	The argument of this cause was commenced by Mr. Thos. P. Cunningham, of counsel for the plaintiff in error, and continued by Mr. Wm. H. Conrad, of counsel for the defendant in error.
277	vs. Writ of Error	
	By H. S. Merrick	
	Joseph M. Douglass.	

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday April 15th 1875

Pursuant to adjournment the Court met today at the Capitol

Present—

The Honorable Morrison R. Waite, Chief justice

Samuel F. Miller
Stephen J. Field
William B. Woods
Ward Hunt
Horace Gray Jr.
Samuel Blatchford
} Associate justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. J. Helges it is ordered that Thomas H. Williams, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. N. Fike, it is ordered that Hugh Coleman, Esquire, of New

York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The County Court of Ralls County,	The argument of this cause was continued by Mr. J. M. Conrad, of counsel for the defendant in error, and concluded by Mr. Henry N. Cunningham, of counsel for the plaintiff in error.
277	vs. In Error to Ill. Sup. Ct.	
	Joseph M. Douglass	

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278 The County Court of Ralls County, vs. Plff. in Error. The U. S. ex rel. Charles L. George.

279 The County Court of Lincoln County, vs. Plff. in Error. The U. S. ex rel. Despasian Warner.

280 The County Court of Lincoln County vs. Plff. in Error. The U. S. ex rel. N. C. McPike, and

281 The County Court of Lincoln County, vs. Plff. in Error. The U. S. ex rel. Joseph M. Douglass.

These cases were argued by Mr. Henry N. Cunningham, of counsel for the plaintiffs in error, and submitted on printed arguments by Mr. J. H. Overall, of counsel for the defendants in error.

282	James S. & C. W. Marsh, Plffs. in Error. vs. John McPherson	This cause was argued by Mr. J. H. Brady, of counsel for the plaintiffs in error, and by Mr. John F. Dillon, of counsel for the defendant in error.

283	Cuyahoga County, Plff. in Error. vs. Bernhardt Westermann.	Ordered by the Court that this cause be, and the same is hereby, continued until the next term, for stipulation of counsel on file.

23	T. K. Hennessy et al, Appellants. vs. The Texas & Pacific R. R. Co.	On motion of Mr. W. D. Kendon, of counsel for the appellants, one hour additional time allowed counsel for the appellants in the argument of this cause.

23	T. K. Hennessy et al, Appellants vs. The Texas & Pacific R. R. Co	The argument of this cause was commenced by Mr. W. D. Kendon, of counsel for the

appellants.

332

The Pennsylvania Steel Co. vs. William Butler Duncan and S. L. M. Barlow, survivors of themselves and Francis Skiddy, deceased, Trustees; The Atlantic, Mississippi & Ohio R. R. Co. et al

Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and on the stipulation of counsel on file and motion of Mr. H. L. Shipman, of counsel for the appellees, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr Chief Justice Waite.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 14th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present -

The Honorable Morrison R. Waite, Chief justice
Samuel F. Miller
Stephen J. Field
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James Lowndes it is ordered that Geo. E. Yasir, Esquire, of Vicksburg, State of Mississippi, and Arthur Ryerson, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in

this behalf by Mr. S. S. Cox, it is ordered that Thomas Riley, Esquire, of Boston, State of Massachusetts, and Frances E. O'Reilly, Esquire, of Woonsocket, State of Rhode Island, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

119	L. S. Williams and S. S. Tarbell vs. The Pikes Peak R.R. Co.	Appellants	On motion of Mr. Felix A. Reeve, of counsel for the appellees, leave is hereby granted the Clerk to issue the Mandate in this cause.

23	T. K. Stevenson et al., vs. The Texas & Pacific R.R. Co.	Appellants.	On argument of this cause was continued by Mr. W. S. Herndon, of counsel for the appellants, and by Mr. Walter D. Davidge and Mr. James Lowndes, of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at 12 o'clock.

Monday, April 17th 1882

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
Associate Justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William E. Earle, it is ordered that Augustus C. Bacon, Esquire, of Macon, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carver Leninger, it is ordered that Calhoun H. Leninger and William A. Crook Esquires, of Washington City, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Emott, it is ordered that Archibald A. Hyde, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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251 | The City of Hannibal 15 Defts. in Error Thomas Saunders | In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern

District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and interest, to be paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri,

for Mr. Justice Matthews.

	The Sioux City & Pacific Railroad Company, Appellant	Appeal from the Court of Claims.
266	vs.	
	The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Court of Claims for further

other proceedings to be had therein in accordance with law.

per Mr. Justice Matthews

N. Hammarsley, H. H. Stephens, and the Charleston Life Insurance Co., vs. Hoyt Sherman, assignee of B. F. Allen & B. F. Allen.	Appeal from the Circuit Court of the United States for the District of Iowa.

61

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

	The State of Louisiana on the relation of the Southern Bank,	In Error to the Supreme Court of the State of Louisiana.
117	vs. Off. in Error.	
	Edward Pilsbury, Mayor of the City of New Orleans et al	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby, reversed, And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to reinstate the cause and to remand the same to the Third District Court of the Parish of Orleans or its successor to carry into effect the provisions of the 37th section of the Act of the Legislature, approved February 23rd, 1852, and the 5th section of the Supple-

mentary act approved the same day and
embraced in Nos. 71 and 72 of the Acts of
that year, as containing a valid contract
between the City of New Orleans and the
creditors holding the bonds issued accord-
ing to those acts, and to direct the said
District Court to issue a Mandamus to
the said City of New Orleans and its
authorities annually to levy and collect
the tax of six hundred and fifty thous-
and dollars commanded by the acts
aforesaid and to apply the same in the
following order; first, to the payment of
the current interest of the year; second,
to the payment of arrearages of interest
of former years until all the arrearages
are satisfied; and thirdly, to the pur-
chase of bonds having the shortest period
to run.

And this Court further orders that
the defendants pay the costs of this Court
and of the Supreme and District Courts
of Louisiana.

per Mr. Justice Field.

Monday, April 17th 1882, continued

The City of Manchester, Virginia,
vs. Pltff. in Error.
J. F. Ericsson.

In Error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to set aside the verdict and award a new trial.

per Mr. Justice Miller.

102	Isaac M. Duncan and Simon Posy, vs. The Steamship "Francis Wright" her engines &c., Humphrey E. Woodhouse and Joseph Rudd Jr., Claimants.	Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

253	The New York Guaranty & Indemnity Company, vs. The Board of Liquidation of the State of Louisiana.	In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

231	Charles Fridet, Appellant. vs. The City of Brooklyn.	Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Monday April 17th 1882, continued

	The Chicago Life Insurance Co.	On consideration of the motion to advance this cause, It is ordered that said motion be, and the same is, hereby, denied.
1204	vs. Writ in Error	
	Thomas D. Keadle, Auditor, &c.	

per Mr. Chief Justice Waite.

	The Crane Iron Co.,	On consideration of the motion of Mr. J. H. Shipman, of counsel for the plaintiff in error in this cause, It is ordered that the
1217	vs. Writ in Error	
	Jno. Scagland, James Boyd and William L. Johnson, Commissioners of drainage, &c.	

defendants in error show cause, if any they have, before this Court at Washington, in the District of Columbia, on the 24th day of April, 1882, at 12 o'clock, noon, of that day, or as soon thereafter as counsel can be heard, why they should not be attached for contempt in proceeding to advertise for sale the property in controversy in this cause.

per Mr. Chief Justice Waite.

1218 Charles Stuart Hurts, & Robert Lenox Kennedy, vs. Appls. in Error. Amos Keagland, James Boyd & William K. Johnson, Commissioners of drainage, &c.

On consideration of the motion of Mr. J. H. Shipman, of counsel for the plaintiffs in error in this cause, It is ordered that the defendants in error show cause, if any they have, before this Court at Washington, in the District of Columbia, on the 24th day of April, 1882, at 12 o'clock, noon, of that day, or as soon thereafter as counsel can be heard, why they should not be attached for contempt in proceeding to advertise for sale the property in controversy in this cause.

per Mr. Chief justice Waite.

1221 Stanton Duncan, vs. Appln. in Error. Naughton N. Ficklin, Executor of Benjamin F. Ficklin.

Mr. H. J. Robertson, of counsel for the defendant in error, having filed in open Court the following certificate,

to wit:

"United States of America } ss.
Western District of Virginia }

In the Clerk's office of the Circuit Court of the United States of America for the Western District of Virginia holden at Lynchburg.

This is to certify that in a certain action of debt lately depending in the said Court in which Blanton Duncan was plaintiff, and Slaughter M. Ficklin, Executor of Benjamin M. Ficklin, deceased, was defendant, which action was upon a certain promissory note purporting to have been made by the defendant's testator in his lifetime, payable to the plaintiff, for the sum of seven thousand dollars, dated the 10th day of January 1866, and payable ninety days after the date thereof; at the term of said Circuit Court begun on the 16th day of March 1880, the said action was tried, and judgment thereon was rendered for the defendant, and thereupon during the said term, to wit; on the 2nd day of April 1880, the plaintiff in said action applied for a writ of error to the said judgment, which

was said out and allowed to wit, on the day and year last aforesaid, and the following order was entered by said Court in said cause, to wit:

"On the motion of the plaintiff a writ of error and supersedeas is awarded him from the judgment rendered during the present term of this Court in the above entitled cause. And sixty days from this date are allowed him within which to file with the Clerk a bond according to law in the penalty of $500, approved by the judge of this Court. The attorneys for the defendant being present and acknowledging notice of this motion & waiving citation.

And afterwards, to wit, on the 28th day of April, 1882, the bond required by said order was duly filed.

In Testimony whereof I have hereto set my hand and affix the seal of said Court at my office in the City of Lynchburg in said District, this the 13th day of April A.D. 1882,

(Seal)

and of our Independence
the 106th year
F. H. Rives, Clerk."

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, moved the Court in pursuance of the 9th rule, to have said writ of error docketed and dismissed On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Eastern District of Virginia, &c, and the same is hereby docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per the Chief Justice Waite

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161 Francis X. Saut vs. Plff. in Error. The District of Columbia.

Mr. H. L. Savidge of counsel for the plaintiff in error,

suggested the death of Francis K. Dant, the plaintiff in error in this cause, and moved the Court for leave to enter the appearance of John V. Coughlin, Administrator of Francis K. Dant, as the party plaintiff in error in this cause - Whereupon, It is ordered that John V. Coughlin, Administrator of Francis K. Dant, deceased, as aforesaid, be, and he is hereby, entered and made the party plaintiff in error in this cause with liberty to prosecute this writ of error.

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510 | Richard B. Allen, Pl'ff in Error. vs. William H. McVeigh. | The motion to dismiss the writ of error or affirm the judgment in this cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Philip Phillips and Mr. Wm. F. Maury, in support of the same, and by Mr. H. C. Caughlin, in opposition thereto.

✣ Ex parte: In the matter of Robert Boyd, Petitioner.	On consideration of the petition of Robert Boyd,
17 Original.	

It is hereby ordered that cause be shown by Henry E. Knox Marshal of the United States for the Southern District of New York, before this Court at Washington, in the District of Columbia, on the 24th day of April, 1882, at 12 o'clock, noon, of that day, or as soon thereafter as counsel can be heard, why a Writ of Habeas Corpus should not issue as prayed in said petition.

✣ Ex parte: In the matter of Robert Boyd, Petitioner.	On motion of Mr. Roger M Sherman, of counsel for the
17 Original	

petitioner, leave is hereby granted him to file petition for Writs of Habeas Corpus and Certiorari. Thereupon, It is ordered by the Court that a Writ of Certiorari do issue to be directed to the judges of the Circuit Court of the United States for the

Southern District of New York, requiring and commanding them that they do send, under the seal of the said Circuit Court, to this Court, true copies of the judgment, proceedings and record which have been ordered, had and made, by said Circuit Court in the premises, against the petitioner and under which he is now deprived of his liberty by judgment of said Circuit Court.

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13 | David C. Price, Appellant vs. James E. Kelly | Mr. Rodney Mason filed and submitted to the consideration of the Court, motion to reinstate this cause on the docket and for leave to perfect the transcript of record. Mr. Mason also asked and obtained leave to file affidavits in support of said motion.

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307 | Thomas Ludlow & Rogers, Appellants vs. P. F. Mast & Co. | On motion of Mr. E. E. Wood, of counsel for the appellants,

Ordered that this cause be, and the same is hereby continued until the next term.

Ex parte: In the matter of Samuel Lloyd: Heard and the Wood Cemetery Association,

10 Original Petitioners.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. Goldsworth Gordon, of counsel for the petitioners, and by Mr. H. J. Robertson, of counsel for the respondent.

The St. Louis, Lawrence & Western Railroad Company, William S. Griswold, Demas Deming & Elias Summerfield,

104 vs. Appellants

The Union Trust Company of New York:

Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Kansas, and on the stipulation of counsel on file and motion of Mr. Jonas M. Hill & Jonas, in behalf of counsel. It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

Ex parte: In the matter of John Alexander Wilson, Petitioner.	16 Original.	Mr. James M. Eddy, of counsel for the petitioner, asked leave to file a supplemental petition in this cause. Mr Asa Bird Gardner and Mr. Attorney General Brewster desiring time to consider the same, It is ordered that the argument of this cause be postponed until after the argument of the other cases assigned for this day.

T. K. Stevenson et al, Appellants. vs. The Texas & Pacific R. R. Co.	23	The argument of this cause was concluded by

Monday April 17th 1882 continued

Mr. A. Q. Keasbey of counsel for the appellants.

The City of New Orleans vs. John T. Morris et al.	The argument of this cause was commenced by Mr. E. A. Hill

Caleb, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 18th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present—

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate Justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph K. McCammon, it is ordered that J. J. McElhone, Esquire, of Washington City, District of Columbia, and Charles F. Ewing, Esquire, of Decatur, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Tuesday, April 15th 1862, continued

On motion first made to the Court in this behalf by Mr. David Dudley Field, it is ordered that J. B. Haight Esqre. of Mt. Vernon, State of Ohio, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

The City of New Orleans, Pltff. in Error, vs. John N. Morris et al.	The argument of this cause was continued by Mr. H. H. Howe, and Mr. J. A. Campbell, of counsel for the appellees, and concluded by Mr. C. A. McCalel, of counsel for the appellant.

284

The State of New Hampshire,
2, Original. vs. Complainant
The State of Louisiana et al.

The State of New York
6 Original. vs. Complainant.
The State of Louisiana et al

The State of Louisiana ex rel.
John Elliott et al.
845 vs. Plffs in Error.
Miller Jumel, Sheriff et al
And
John Elliott et al.
846 vs. Appellants.
Louis A. Wiltz, Governor, et al.

On motion of Mr. Leslie F. Russell, of counsel for the State of New York, and consent of Mr. John F. Campbell, of counsel for the State of Louisiana; Ordered that these cases be heard to-gether; that three counsel be heard on behalf of the complainants, plaintiffs in error, and appellants, and that each side be allowed three hours in the argument.

Thursday April 18th 1844, continued

The State of New Hampshire,
6 Original. vs. Complainant.
The State of Louisiana et al.

The State of New York
6 Original, vs. Complainant.
The State of Louisiana et al.

The State of Louisiana ex rel.
John Elliott et al.
845 vs. Defts. in Error
Hein Jumel, Sheriff et al.
And
John Elliott et al,
856 vs. Appellants.
Louis A. Hill, Governor, &c.

The argument of these cases was commenced by Mr. Russell, of counsel for the complainant in No. 6 Original, and continued by Mr. Theodore W. Seeman, of counsel for the complainant in No. 3 Original, the plaintiffs in error in No. 845, and the appellants in No. 856.

Proclamation being made the Court arose and adjourned until tomorrow at twelve o'clock.

Wednesday April 19th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr David Dudley Field, it is ordered that George Cadwalader, Esquire, of Sacramento, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

Thereupon by Mr. S. F. Perry, it is ordered that Albert N. Gary, Esqu., of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	John M. Bailey, Late Collector &c.,	On motion of Mr. S. F. Fairchild, of counsel for the defendant in error ordered that this cause be, and the same is hereby,
326	-vs- Pff. in Error.	
	The New York Central & Hudson River Railroad Company.	

continued until the next term.

	Silas Seymour et al,	On motion of Mr S. F. Phillips, ordered that this cause be, and the
326	-vs- Pffs. in Error.	
	The Western Railroad Co.	

same is hereby, continued until the next term

The State of New Hampshire,
2 Original. vs. Complainant.
The State of Louisiana et al.

The State of New York
6 Original. vs. Complainant.
The State of Louisiana et al.

The State of Louisiana ex rel:
John Elliott et al.,
845 vs. Pltfs. in Error.
Allen Jumel, Auditor et al.
and
John Elliott et al,
856 vs. Appellants.
Louis A. Kilby, Governor, et al.

The argument of these cases was continued by Mr. Wheeler H. Peckham, of counsel for the complainant in No 2, original, the plaintiffs in error in No. 845, and the appellants in No. 856; and by Mr. John A. Campbell, of counsel for the defendants in Nos. 2 and 6 original, the defendants in error in No. 845, and appellees in No. 856. Further argument of these cases postponed until to-morrow.

235 The Aroostook National Bank, Plff. in Error, vs. The Town of Ottawa and Augustus F. Post.

249 Augustus F. Post, Plff. in Error, vs. The Board of Supervisors of Kendall County.

The argument of these cases was commenced by Mr. Sanford S. Perry, of counsel for the plaintiff in error in No. 235.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

Thursday April 20th 1882

Pursuant to adjournment the Court met
to day at the Capitol

Present

The Honorable Morrison R. Waite, Chief justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate justices

John A. Kasson, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this
behalf by Mr. Philip Phillips, it is ordered
that Benjamin Morgan Esquire, a Citizen
of Virginia Territory, be admitted to practice
as an attorney and counsellor of this Court
and he was sworn accordingly.

On motion first made to the Court in

Mr Conrad for Mr. S. F. Bowman, it is ordered that George E. Perkins Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of New Hampshire,
2 Original. vs. Complainant.
The State of Louisiana et al.

The State of New York.
6 Original vs. Complainant.
The State of Louisiana et al.

The State of Louisiana ex rel.
John Elliott et al,
145 vs. Plffs. in Error
Allen Jumel, Auditor, et al,
and
John Elliott et al,
156 vs. Appellants.
Louis A. Shilly, Governor, et al.

The argument of these cases was continued by Mr. John A. Campbell, of counsel for the respondents in Nos. 2 and 6 Original, the defendants in No. 145, and the appellees in No. 156; by Mr. Charles H. Peckham, of counsel for the complainant in No. 2 original, the plaintiffs in error in No. 145, and the appellants in No. 156; and con-

Thursday April 26th 1883, continued

ended by Mr. David Dudley Field, of counsel for the complainant in No. 6 original.

The Amoskeag National Bank,

285 vs. Plff. in Error
the Town of Ottawa.
Error.

Augustus F. Post

289 vs. Plff. in Error.
The Board of Supervisors
of Kendall County.

The argument of these cases was resumed and continued by Mr. P. Phillips, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 21st 1882

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Morrison R. Waite, Chief justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate justices

John F. Finday, Esquire, Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. Solicitor General Phillips, it is ordered that Sydney Hodges, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Friday April 21st 1882. continued

The American National Bank,

735 vs. Pff in Error
The Town of Ottawa,
and
Augustus F. Post,

119 vs. Pff in Error
The Board of Supervisors
of the County of Kendall.

The argument of these cases was continued by Mr. Philip Phillips, of counsel for the defendants in error, by Mr. David T. Littler, of counsel for the plaintiffs in error, and by Mr. T. Lyle Dickey, of counsel for the defendants in error, and concluded by Mr. F. S. Eldredge, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at ten o'clock.

Monday, April 24th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite — Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
— Associate Justices

John F. Dicey, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Brewster, it is ordered that Thomas F. Barr, Esquire, of Newton, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. M. L. Woods, it is ordered that John J. Cunningham, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Shipman, it is ordered that Theodore Little, Esquire, of Morristown, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

271	Austin Corbin, Appellant, vs. the County of Black Hawk, Iowa, S. H. Poole, Auditor, and R. A. Whittaker, Treasurer of said County et al.	Appeal from the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, It is now here

ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with the modification that the dismissal of the bill is without prejudice to the right of the plaintiff to bring any suit he may be advised in the proper Court. Costs in this Court to be paid by the appellant.

per Mr. Justice Blatchford.

1202 The United States, Plaintiff, vs. Silas Casey et al. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the points or questions on which the judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for

his opinion agreeably to the Act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, it is the opinion of this Court that the questions of the sufficiency of the indictment must be answered in the negative – Whereupon, it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr. Justice Bradley.

The City of Louisiana, Plaintiff in Error, vs. Elizabeth H. Taylor. | In Error to the Circuit Court of the United States for the Eastern District of Missouri.

1601

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and

the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Justice Matthews.

James F. Marsh and E. C. Marsh,	In Error to the Circuit Court
282 vs. Plffs. in Error.	of the United
John McPherson.	States for the
	District of Ne-

braska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

174	Julia Sharon, Executrix of Moses Sharon, deceased, Plff. in Error vs. Joseph M. Hoddard.	In Error to the Circuit Court of the United States for the Northern

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Woods.

Lewis Hammock, Isaac D. Swan et al. 164 vs. The Farmers Loan & Trust Company.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the final orders and decrees of the said Circuit Court appealed from in this cause, be, and the same are hereby affirmed with costs.

per Mr. Justice Harlan

Emily Sullivan et al, vs. 225 H. Burnett et al.	In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the

Transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. justice Nelson

1148

The City of Ottawa, Plff in Error. vs. The First National Bank of Portsmouth, New Hampshire	In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and

interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Harlan

The American Life Insurance Company, 18 Plf. in Error	In Error to the Circuit Court of the United States for the Northern District
41 the Town of Swan	

of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs, And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with

the opinion of this Court.
per Mr. Justice Harlan.

St. Anna's Asylum for the relief of destitute females and helpless children of all religious denominations	In Error to the Supreme Court of the State of Louisiana.
218 15. Plff. in Error	
The City of New Orleans.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to reverse the judgment of the Third District Court of the Parish of Orleans and to render judgment in conformity with the opinion of this Court.

per Mr. Justice Bradley
Dissenting:

181 The United States, Plff. in Error vs. Lewis Lindskoff, Raphael Reichmann and Elias Lindskoff.	In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Field.

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147 The Board of Supervisors of Albany County, Plff. in Error vs. Edward N. Stanley.	On consideration of the motion to modify the judgment of this Court in this

cause, It is ordered that said judgment be, so far modified as to permit the Circuit Court, in its discretion, to amend the pleadings and hear evidence in regard to the issue or issues in the case not disposed of by the finding of facts made by the Court in the former trial, and not inconsistent with the opinion in this case.

per Mr. Justice Miller.

The National Life Insurance Company of the United States of America.

273 vs. Deft. in Error.

Albert Schaefer, George K. Finch and Charles Nelson, as Executors & Trustees of the last will and testament of Charles Schaffer, deceased.

In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by counsel On consideration whereof, It

is now here ordered and adjudged by this Court, that the writ of error in this cause, be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

	The United States	Ordered by the Court
219	vs. Dft. in Error	that these cases be,
	George W. P. C. Lee	and the same are
	and	hereby, set down for
	Frederick Kaufman	re-argument when
	& R. P. Strong	reached in the regu-
220	vs. Dfts in Error	lar call of the docket
	George W. P. C. Lee	at the next term or as

soon thereafter as the Bench shall be full.

per Mr. Chief Justice Waite.

	Richard S. Nelson,	On consideration of
510	vs. Dft. in Error	the motions to dismiss
	William K. McLeigh	the writ of error or

affirm the judgment in this cause, It is ordered that the motion to affirm be, and the same is hereby, denied, and that the motion to dismiss

be postponed for hearing with the cause on its merits.

per Mr. Chief Justice Waite.

776	The United States, Plaintiff, vs. James Hamilton	On consideration of the motion to advance this cause, It is ordered that said motion be, and the same is hereby, granted, and the cause is assigned for argument on the first Monday in November next or as soon thereafter as the Bench shall be full.

per Mr. Chief Justice Waite.

1	The United States, Plaintiff vs. Murray Stanley	Ordered by the Court that the submission of these cases on printed arguments be, and the same is hereby, set aside and the cases are assigned for argument at the next term in connection with No. 776 this day advanced.
2	The United States Plff. in Error vs. Michael Ryan and	
4	The United States Plaintiff vs. Samuel Nichols	

15	The United States, Plaintiff vs. R. F. Harriset al	Ordered by the Court that the submission of this cause on printed

arguments be, and the same is hereby, set aside, and the cause is assigned for argument at the next term after Nos. 776, 1, 2, and 4.

per Mr. Chief Justice Waite.

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715 The United States, Plaintiff vs James H. Britton
716 The United States, Plaintiff vs. James H. Britton
717 The United States, Plaintiff vs Edward F. Curtis
718 The United States, Plaintiff vs jas H. Britton & Barton Bates
719 The United States, Plaintiff vs. jas. H. Britton & Barton Bates
720 The United States, Plaintiff vs. jas. H. Britton & Barton Bates

On consideration of the motion to advance these cases, It is ordered that said motion be, and the same is hereby, granted, and the cases are assigned for argument at the next term after No. 15.

per Mr. Chief Justice Waite.

777	Richard K. Parkinson, Plff. in Error vs. The United States and The United States, Plaintiff vs. C. F. Hale & H. S. Gibson.	On consideration of the motion to advance these cases, It is ordered that said motion be, and the same is hereby, granted, and the cases are assigned for argument at the next term after No. 720.

for Mr. Chief Justice Waite.

546	The Pittsburgh, Cincinnati & St. Louis Railway Co. et al, vs. The Columbus, Chicago & Indiana Central R.R. Co. Appellants.	The motion to suspend the Supersedeas in this cause was argued by Mr. Francis Lynde Stetson, in support of the same. Thereupon, It is ordered by the Court that said motion be, and the same is hereby, denied.

(Mr. Justice Matthews having been of counsel in this cause took no part in the decision of this motion.)

1217	The Crane Iron Company, vs. Plff. in Error. Amos Seaglandetal Commissrs. and Charles Stuart Rudsetal, vs. Plffs. in Error Amos Seaglandetal Commissrs	The argument on the return to the rules to show cause in these cases was commenced by Mr. Theodore Little in opposition to the issuance of writs of attachment, continued by Mr. J. G. Shipman in support of same, and concluded by Mr. Theodore Little, in opposition thereto

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1010	Samuel G. Hyde et al, vs. Plffs. in Error. John Rude et al	On motion of Mr. Angus Cameron, of counsel for the plaintiffs in error, leave is hereby granted the Clerk to issue the Mandate in this cause.

266	The Swift & Courtney & Beecher Company, vs. Appellant. The United States	On motion of Mr. George N. Williams, of counsel for the appellant, leave is hereby granted the Clerk to issue the Mandate in this cause.

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316 James L. Russell et al. vs. Thomas Allen et al. Appellants.

Mr. William M. Springer, of counsel for the appellants, suggested the death of Thomas Allen, one of the appellees in this cause, and moved the Court for an order under the 15th rule to make the proper representatives parties. Whereupon, It is now here ordered by the Court that unless the proper representatives of the said Thomas Allen, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court, the appellants shall be entitled to open the record and on hearing have the same reversed, if it be erroneous; Provided, however, that a copy of this order shall be printed in some newspaper at the seat of government, of general circulation, for three successive weeks, at least sixty days before the beginning of the term of the Supreme Court next ensuing.

For Mr. Chief Justice Waite.

The Farmers Loan & Trust Company et al., Appellants vs. Christian Waterman et al.	The motion to dismiss the appeal and vacate the supersedeas in this cause as to certain appellees was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Butler and Mr. Solomon Claypool, in support of the same, and by Mr. J. D. Campbell, in opposition thereto.

1212

The National Steam Navigation Company, Appellant vs. Joseph H. Lyer et al. and Joseph H. Lyer et al., Appellants vs. The National Steam Navigation Company.	The motion to stay the issuance of the Mandate in these cases until the next term was submitted to the consideration of the Court on printed arguments by Mr. A. L. Benedict, in support of the same, and by Mr. Wm. Allen Butler, in opposition thereto.

40

113

Monday, April 24th 1882, continued

319	John H. Garlet et al vs. Appellants John S. Hicks et al.	On motion of Mr. A. L. Benedict, Ordered that this cause be, and the same is hereby, continued until the next term.

17	Ex parte: In the matter of Robert Boyd, Original. Petitioner.	Ordered by the Court that this cause be argued after No. 16, original.

190	William H. Lewis, vs. Appellant. Jacob Reese et al.	Mr. William A. McKenney filed and submitted to the consideration of the Court, motion to rescind and annul the decree of dismissal in this cause and to reinstate the cause upon the docket.

The Town of Prairie et al,	The motion
1014 vs. Appeals in Error	to dismiss in
J. M. Lloyd, Clerk &c. et al	this cause was
	submitted to

the consideration of the Court on the record and printed arguments by Mr. S. H. Moulton, in support of the same, and by Mr. H. J. Remy, in opposition thereto.

Samuel P. Walker's	The argument of
Executors et al,	this cause was
24 vs. Appellants.	commenced by
The United States.	Mr. Turner Ill.
	Bateman, of coun-

sel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Tuesday April 25th 1882

Pursuant to adjournment the Court met today at the Capitol

Present-

The Honorable Morrison R. Waite,	Chief Justice
Samuel F. Miller	Associate justices
Stephen J. Field	
Joseph P. Bradley	
John M. Harlan	
William B. Woods	
Stanley Matthews	
Horace Gray Jr	
Samuel Blatchford	

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. George F. Hoar it is ordered that Thomas R. Haskell, Esquire, of Portland, State of Maine, be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

1385	William M. Randolph, Administrator of Marlin J. Manning, deceased, vs. The State of Mississippi, The County of Yamiea and The Board of Supervisors of said County.	Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and on the motion of Mr. Fillmore Beall, of counsel for the appellant, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr Chief justice Waite.

526	The Piedmont & Arlington Life Insurance Company, vs. Maggie Hawkins.	In Error to the Circuit Court of the United States for the District of

Thursday April 25th 1882, continued

California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and on the stipulation of counsel on file and motion of Mr. Fillmore Beall, in behalf of counsel, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

For Mr. Chief Justice Waite.

Samuel P. Walker's Executors et al., Appellants vs. The United States.	The argument of this cause was continued by Mr. Solicitor General Phillips, of counsel for the appellee, and concluded by Mr. Warner W. Bateman, of counsel for the appellants.

211

Tuesday, April 25th 1882, continued

Ex parte, In the matter of John Anderson Mason, Petitioner	The argument of this cause was commenced by Mr James M.
16 Original.	

Lyddy, of counsel for the petitioner, and continued by Mr. Asa Gord Gardner, of counsel for the respondent.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, April 26th 1882.

Pursuant to adjournment the Court met today at the Capitol

Present -

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William A. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate Justices

John F. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George F. Edmunds, it is ordered that Arthur F. Linsley, Esquire, of Chelsea, State of Vermont, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday, April 26th 1882, continued

On motion first made to the Court in this behalf by Mr. H. G. Robertson, it is ordered that William A. Fogeman, Esquire, of Charleston, State of West Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: In the matter of John Anderson Mason, Petitioner	This cause was argued by Mr. Roger M. Sherman, of counsel for the petitioner, and submitted on printed argument by Mr. Solicitor General Phillips, of counsel for the respondent.

James H. Harvey & James Linsey, Appellants vs. The United States.	The argument of this cause was commenced by Mr. Enoch Totten, of counsel for the appellants, and continued by Mr. Solicitor General Phillips, and Mr. Assistant Attorney General Simons, of counsel for the appellee.

Proclamation being made the Court is

Thursday April 27th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William A. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford

} Associate justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William H. McKenney, it is ordered that Samuel Appleton, Esquire, of Chicago, State of Illinois, and H. H. Wolcott, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Thursday April 27th 1882, continued

Ex parte: In the matter of J. B. Hall 180 Original. Petitioner	Mr. C. H. Jones of counsel for the petitioner asked and obtained leave to file a petition for a writ of Mandamus, and submitted to the consideration of the Court; motion for a rule to show cause why said writ should not issue.

James H. Harvey & James Linsey, 16 vs. Appellants The United States	The argument of this cause was continued by Mr Assistant Attorney General Simons, of counsel for the appellee, and concluded by Mr. Enoch Totten, of counsel for the appellants.

William N. Reynolds et al, 285 vs. Appellants William N. Vanderbilt et al, and William N. Vanderbilt et al 286 vs. Appellants William N. Reynolds et al.	Ordered by the Court that these cases be, and the same are hereby, continued until the next term.

Thursday April 27th 1882, continued

287	The United States, vs. William Smith.	This cause was argued by Mr. Solicitor General Phillips, of counsel for the appellant, and by Mr. George F. King, of counsel for the appellee.

314	Joseph N. Hacker, vs. Sajiel G. Rawson, Winthrop D. Par and Charles S. Goddard.	Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the authority of counsel for the appellant, on file, It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

Thursday, April 27th 1882, continued

290 The Lawson & Goodman Manufacturing Company, vs. Appellant. The John Russell Cutlery Co.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

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291 John R. Hazlett vs. Appellant. Samuel D. Ingersoll et al.

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

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292 Henry D. Cone vs. Appellant. The Morgan Envelope Co.

293 Henry D. Cone, vs. Appellant. The Whiting Paper Co.

294 Henry D. Cone vs. Appellant. Lewis J. Powers.

Ordered by the Court that these cases be, and the same are hereby, continued until the next term.

Thursday April 27th 1882, continued

199 Joseph N. Quisby et al. vs. Henry G. Hill Pffs. in Error	The argument of this cause was commenced by Mr. Richard De Gray of counsel for the plaintiffs in error, and continued by Mr. G. J. Semmes, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday April 28th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate justices

John G. Nicolay Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. D. Forader, it is ordered that L. C. Hand Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr Reginald Fendall, it is ordered that J. J. Coughlan, Esqure, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr. F. D. Neal, it is ordered that Jacob H. Hart, Esqure, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

191	David H. Harnock, Admrx, vs. George Davis et al.	Upon Error.

The motion to modify the judgment of this Court in this cause was submitted to the consideration of the Court on printed arguments by Mr F. D. Neal, in support of the same, and by Mr. J. J. Forader in opposition thereto.

182	Thomas A. Lyon vs. Appellant. The Union Paper Bag Machine Company.	Mr. P. D. Musson, on behalf of counsel for the appellant, filed and submitted to the consideration of the

Court, motion for a re-taxation of the costs in this cause.

359	Charles H. Lea & Jas. D. Perrins vs. Appellants. Frank Deakin.	The motion to dismiss this cause was submitted to the consideration of the Court on

printed arguments by Mr Charles F. Benjamin, in support of the same, and by Mr E. S. Mason, and Mr. William F. McKinney, in opposition thereto.

359	Charles H. Lea & James D. Perrins vs. Appellants Frank Deakin.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the stipulation of counsel on file and motion of Mr. William P. McKenney, of counsel for the appellants, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice. Each party to pay their own costs in this Court.

per Mr. Chief Justice Waite

	Charles K. Bissell,	Appeal from the
582	vs. Appellant.	Circuit Court of
	Simon N. Foss, Absalom	the United States
	J. Hunter, and the First	for the District
	National Bank of Denver	of Colorado.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and on the authority of counsel

for the appellant on file and motion of Mr. Wm. N. McKenney, in behalf of counsel. It is now here ordered, adjudged and decreed by this Court, that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Wasatch & Jordan Valley Railroad Company, Plff in Error vs. Nels Anderson	In Error to the Supreme Court of the Territory of Utah

709

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and on the authority of counsel for the plaintiff in error on file and motion of Mr. Wm. N. McKenney, in behalf of counsel. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

Friday, April 28th 1882, continued

197	Joseph M. Oglesby et al, Plffs in Error vs Henry G. Hill	The argument of this cause was continued by Mr Thomas J. Semmes, and Mr. S. Teackle Wallis, of counsel for the defendant in error, and concluded by Mr Henry B Kelly of counsel for the plaintiffs in error.

395	Lenaville J. Son, Plffs in Error vs George S. Richards, Collector, &c.	This cause was argued by Mr. H. D. Purnell, of counsel for the plaintiffs in error, and by Mr. Solicitor General Phillips, of counsel for the defendant in error.

396	Otis Pierce, Appellant vs George A. Ames.	Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

395	Jacob D. Cox et al, Plffs in Error vs The People the Territory of Montana for the use of M. J. Kenna	This cause was submitted to the consideration of the Court on the record and printed arguments

by Mr. Willard P. Hall, of counsel for the plaintiffs in error, and by Mr Samuel Shellabarger and Mr. J. M. Wilson, of counsel for the defendant in error

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	Thomas P. Leathers et al,	This cause was
300	vs. Appellants.	submitted to the
	N. C. Blessing.	consideration of
		the Court on the

record and printed arguments by Mr. J. M. Carlisle, of counsel for the appellants, and by Mr W. H. Horner of counsel for the appellee.

	Eliza A. Pritchard,	This cause was sub-
	Executrix &c,	mitted to the consid-
301	vs. Plff. in Error	eration of the Court
	& Norton.	on the record and
		printed arguments

by Mr Jonas C. Miller, of counsel for the plaintiff in error, and by Mr. Cyphas Brainerd and Mr. George H. Yates, of counsel for the defendant in error.

302	Austin Corbin et al, vs. Pipes in Error Catharine & Abraham Van Brunt.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Randall Hagner, of counsel for the plaintiffs in error, and by Mr. Joseph K. McCammon and Mr. J. J. McElwee, of counsel for the defendants in error

303	Charles T. Root Executor &c. vs. The Richmond, Fredericksburg & Potomac Railroad Co.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Albert A. Walker, of counsel for the appellant, and by Mr. Andrew McCallum, of counsel for the appellees.

306

Edwin M. Lewis, Trustee in bankruptcy of Jay Cooke et al
vs.
The Metropolitan National Bank and Geo. I. Seney

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the Stipulation of counsel on file, It is now here ordered, adjudged, and decreed by this Court, that this appeal be, and the same is hereby, dismissed. Clerk's costs in this Court to be paid by appellant.

per Mr Chief Justice Taney

Proclamation being made the Court is adjourned until Monday, the 5th day of May at twelve o'clock.

Monday, May 8th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate Justices

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court on this behalf by Mr. H. H. Upton, it is ordered that David S. Ordway, Esquire, of Milwaukee, and Edward C. McFetridge, Esquire, of Beaver Dam, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Monday March 6th 1882, continued

On motion first made to the Court on this behalf by Mr James Thomson, it is ordered that Hall McAllister Jr. Esquire of San Francisco State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court on this behalf by Mr Charles H. Wood, it is ordered that Charles H. Hoadman, Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court on this behalf by Mr F. H. Kellogger, it is ordered that David Wheaton and Lewis L. Behre, Esquires, of San Francisco, State of California, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court on this behalf by Mr. Walter H. Smith, it is ordered that Charles H. Scribner,

Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counselor of this Court and he was Sworn accordingly.

On motion first made to the Court in this behalf by Mr. George N. Pendleton, it is ordered that Frank T. Irigand, Esquire, of Nebraska City, State of Nebraska, be admitted to practice as an attorney and counselor of this Court and he was Sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Mitchell, it is ordered that C. B. Upton, Esquire, of Portland, State of Oregon, and William G. Thompson Esquire, of Marion, State of Iowa, be admitted to practice as attorneys and counselors of this Court and they were Sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Brown, it is ordered that Murat Masterson, Esquire, of Prescott, Arizona Territory, be admitted to practice as an attorney and counsellor of this Court and he was Sworn accord-

ing.

On motion first made to the Court in this behalf by Mr. Angus Cameron, it is ordered that S. H. Montgomery, Esqr. a Lawyer, Member of the Colorado bar be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly.

Benjamin F. Flanders, Deputy General Agent of the Treasury Department of the United States, Plff in Error. vs. A. D. Sellers.	In Error to the Circuit Court of the United States for the District of Louisiana

358

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs, and that

this cause, be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana, with directions to award a new trial.

per Mr. Justice Blatchford.

Dissenting:
Mr. Justice Bradley
Mr. Justice Field
Mr. Justice Woods.

Clark H. Ogden, Assignee in bankruptcy of the Star Fire Insurance Company,
301 vs. Plff. in Error.
Daniel McLaughlin.

In Error to the Supreme Court of the Territory of Wyoming.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Wyoming, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause, be, and the same is hereby, reversed with costs; and that

This cause be, and the same is hereby, re-
manded to the said Supreme Court with
directions to hear and determine the ques-
tions raised by the petition in error and
to take such further proceedings as may
be in conformity with law and not in-
consistent with the opinion of this Court.
per Mr. justice Blatchford.

Clark N. Upton, Assignee,
in bankruptcy of The
Great Western Insurance
Company,
260 vs. } In Error to the
Thomas K. Kent. } Supreme Court
of the Territory
of Wyoming.

This cause came on to be heard on the
transcript of the record from the Supreme
Court of the Territory of Wyoming, and
was argued by counsel. On consideration
whereof, It is now here ordered and adjudg-
ed by this Court, that the judgment of the
said Supreme Court, in this cause, in
and the same is hereby, reversed with costs;
And that this cause be, and the same

is hereby remanded to the said Supreme Court with directions to hear and determine the questions raised by the petition in error and take such further proceedings as may be in conformity with law and not inconsistent with the opinion of this Court in the case of Upton, Assignee &c, vs. McLaughlin.

per Mr. justice Stakeford

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16 James H. Harvey and James Livesey, Appellants vs. The United States.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Court of Claims, in this cause, be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to proceed in it according to law and in conformity with the opinion of this Court.

Monday May 8th 1854, continued

Thomas Heatlus and Mary H. Heatlus widow & Anthony Saulet, deceased Claimants of the Steamboat "Natchez" &c	Appeal from the Circuit Court of the United States for the District of Louisiana
300 vs. Appellants.	
Hopkins & Blessing.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest on the principal sum of $5,707.50, decreed by the Circuit Court, to be computed at the rate of 5 per cent. per annum from the date of judicial demand in the District Court, until paid; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana.

Monday, May 5th 1884, continued

The Steamboat "Potomac" &c.
James H. Dalcher et al.
Claimants,
222 vs. Appellants.
John H. Cannon

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, in the District of Louisiana and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Louisiana, with directions to enter a decree in favor of the libellant for the sum of $3,563.36 in conformity with the opinion of this Court.

per Mr. Justice Gray.

The Amoskeag National Bank.	In Error to the
235 vs. Dft. in Error	Circuit Court
The Town of Ottawa.	of the United
	States for the
	Northern Dis-

trict of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

Augustus S. Post,	In Error to the Cir-
249 vs. Dft. in Error	cuit Court of the
The Board of Super-	United States for
visors of Kendall	the Northern Dis-
County.	trict of Illinois.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Gray.

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276 Madame Celestine Caillé et al., Appellants, vs. Madame Felicité Triolet. | Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that

Monday, May 8th 1882 continued

This cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Louisiana with directions to render a decree dismissing the bill

per Mr. justice Matthews.

T. K. Stevenson, H. N. Smith, J. F. Flournoy, J. N. Saunders, J. H. Gillam and R. H. Lyman, Appellants.

23 vs.

The Texas and Pacific Railroad Company, A. J. Smith and R. D. Lowery.

Appeal from the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause,

be, and the same is hereby, affirmed with costs.

per Mr. Justice Matthews.

Ex parte: In the matter of Robert Boyd,
17 Original Petitioner

On consideration of the petition for a Writ of Habeas Corpus in this cause and of the argument of counsel thereupon had, as well in support of as against the same, It is ordered that said petition be, and the same is hereby, denied.

per Mr. Justice Matthews.

The Chicago, Danville & Vincennes Railroad Co. et al.
173 vs. Appellants.
William M. Fosdick et al

On consideration of the petition for a rehearing in this cause,

It is ordered that said petition be, and the same is hereby, granted; and the decree of this Court rendered at the present term so far as it reverses any of the decrees embraced in this appeal is to

that extent and for that purpose set aside.

per Mr. Justice Matthews.

245

Asa Johnson and Thomas J. Sanford, Appellants vs. The Houston & North Side Railroad Co.	Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Woods.

Monday, May 8th 1882, continued

The Wilson Packing Company, Arthur K. Wilson, Richard H. Wilson & Charles P. Wilson,

1150 vs. Appellants.

The Chicago Packing and Provision Company, D. P. Hutchinson, George A. Higgins, Augustus S. Burt, D. L. Quirk & Benjamin F. Murphy.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

Monday, Mar. 8th 1886, continued

The Wilson Packing Company, Arthur S. Libby, Benjamin W. Noble & Charles F. Libby vs. Robert D. Hunter, W. D. Merrill, Henry L. Newman, and The St. Louis Beef Canning Company.

Appeal from the Circuit Court of the United States for the Southern District of Illinois.

1190

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

Monday, May 8th 1882, continued

	The Wilson Packing Company, Arthur K. Libby, Archibald McNeill, & Charles P. Libby,	
1191	vs.	Appeal from the Circuit Court of the United States for the Southern District of Illinois.
	Robert A. Hunter, H.B. Merrill, Henry L. Newman and The St. Louis Beef Canning Co.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Woods.

Monday, May 1st 1882, continued

The Wilson Packing Company, Arthur F. Libby, Archibald McKeil, & Charles P. Libby, Appellants. vs. William D. Clapp.	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Woods.

	C. E. Mitchell, Administrator de bonis non of C. S. Barron, deceased,	
221	vs. Appellant	
	John F. Dowell and F. M. Mandeville late partners as J. M. Dowell & Company, and	Appeals from the Circuit Court of the United States for the Eastern District of Arkansas.
	John F. Dowell & F. M. Mandeville, late partners as J. M. Dowell & Company,	
1167	vs. Appellants.	
	C. E. Mitchell, Administrator de bonis non of C. S. Barron, deceased.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, on appeal and cross-appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is here-

be reversed, and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the bill without prejudice to an action at law on the notes which the invalid mortgage purported to secure. Costs in this Court to be paid by the appellees in No. 221 and appellants in No. 167.

per Mr. Justice Woods

Randolph & Son, pltfs. in Error
vs.
George W. Richards, Collector of Internal Revenue.

295

In Error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause

be, and the same is hereby, affirmed with costs.

per Mr. Justice Marian.

1817 The Exam Iron Company, Plff. in Error
vs.
James Hoagland, James Boyd, & Wm L. Johnson, Commrs &c.

and,

1818 Charles Stuart Hurlsand Robert Lenox Kennedy, Plffs. in Error.
vs.
Ingas Hoagland, James Boyd & Wm L. Johnson, Commrs &c.

On consideration of the return to the rules to show cause why the defendants in error in these cases should not be attached for contempt, and on the argument of counsel thereupon had, It is now here ordered by the Court that said rules be, and the same are hereby, discharged.

per Mr. Justice Bradley.

Monday, May 8th 1882, continued

Bridge, Beach & Company, Appellants. vs. The Eastern Manufacturing Company & F. Fildy President, et al.	Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

2214

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley.

The Trustees Swamp and Overflowed Land Fund of the State of Florida, Appellants vs. Charles P. Treenaught, Administrator of Francis Vose, deceased.	Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that so much of the last decree of the said Circuit Court, in this cause, as allows the sum of fifteen thousand and three dollars and thirty-five cents ($15,003.35) for printing expenses and thirty-four thousand six hundred and twenty-five dollars ($34,625) for personal services be, and the same is hereby reversed. And other respects both of the decrees aforesaid from are affirmed. Costs in this Court to be paid by the appellee.

per Mr. Justice Bradley.

Dissenting:

Monday, May 8th 1882. Continued

267

The Hubbell Loom Company, Appellant.
vs.
Elias S. Higgins and Nathaniel N. Higgins.

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in favor of the complainant and to take such further proceedings as law and justice may require.

per Mr. Justice Bradley.

(Mr. Justice Hatchford did not sit during the argument of this cause and took no

Monday, May 8th 1882, continued

part in the decision.)

Wm Kinsell, Livingston Crouse and Isaac Crouse, heirs-at-law of W. W. Crouse, deceased, Lucas, Hoyt, A. Sherman, Antonio de Silva, Samuel O'Hess and Samuel Smith,	In Error to the Circuit Court of the United States for the District of California.
765 vs.	Defts in Error.
Ira G. French.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment in favor of the defendants.

per Mr. Justice Field.

Monday May 8th 1882, continued

Samuel D. Gordon, Edward N. Foster & Henry Watkins vs. Pitts in Error for D. Gulick	In Error to the Circuit Court of the United States for the Northern District of New York

This cause came on to be heard on the Transcript of the Record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel.

On consideration whereof, It is now hereby ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Field.

Joseph N. Ogier & Jules Cassard, vs. Pitts in Error Henry J. Hirit	In Error to the Circuit Court of the United States for the District of Louisiana

Monday, May 8th 1882, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana.

per Mr. Justice Field.

2514	The City of New Orleans, Appellant, vs. John S. Morris, Freeman Clark, Charles T. Howard, Jim Ming and Wharton.	Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of the United States for the Eastern District of Louisiana with directions to overrule the plea and for further proceedings to be had therein not inconsistent with the opinion of this Court.

Per Mr. Justice Miller.

237

The Cincinnati, Portsmouth, Big Sandy & Tennessee Packet Company, Appellant
vs.
The Board of Trustees of the Town of Catlettsburg, Kentucky.

Appeal from the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs.

per Mr. Justice Miller.

217	The United States, Appellant. vs. William Smith	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, remanded to the said Court of Claims, with directions to dismiss the petition.

per Mr. justice Miller

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16 Original.	Ex parte: In the matter of John Anderson Mason, Petitioner.	On consideration of the petition for

Writs of Habeas Corpus and Certiorari, & the return to the rule to show cause why said Writs should not issue and & the argument of counsel thereupon had, It is now here ordered by the Court, that said rule be, and the same is hereby, discharged.

per Mr. Chief-Justice Taite

The Newport & Cincinnati Bridge Company. Appellant.
vs.
The United States

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

32

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed

Dissenting ... Mr. Chief Justice Taite

Mr. Justice Matthews did not sit in this case and took no part in the decision.

The County Court of Ralls County and the judges thereof.	In Error to the Circuit Court of the United States for the Eastern District of Missouri.
277 vs. vs. Pltffs. in Error.	
City of United States, et al.	
Joseph M. Douglass.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

Monday, May 8th 1882, continued

The County Court of Rails County and the Judges thereof 277 vs. Plff in Error The United States ex rel. Charles L. George	In Error to the Circuit Court of the United States for the Eastern District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, &c, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

The County Court of Lincoln County and the Judges thereof 278 vs. Plff in Error The United States ex rel. Vespasian Warner	In Error to the Circuit Court of the United States for the Eastern District of Missouri.

Monday, May 8th 1882, continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief justice Waite.

The County Court of Lincoln County and the Judges thereof.	In Error to the Circuit Court of the United States for the Eastern District of Missouri.
780 vs. Pelts in Error	
The United States use.	
J. C. McPike	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit

Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

The County Court of Lincoln County and the judges thereof

vs

The United States and Joseph M. Douglass.

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

Monday, Mar 8th 1852, continued

Lincoln County,
Dott ats. Plff in Error
Joseph W. Douglass

District of Missouri,

In Error to the Circuit Court of the United States for the Eastern

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

Monday, May 8th 1882, continued

302

Austin Corbin, George S. C. Doe, The New York & Manhattan Beach Railway Co. et al., Pltffs. in Error. vs. Catharine Van Brunt & Abraham Van Brunt.

In Error to the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

298	Jacob B. Cox, Albert S. Clarke, & Robert C. Ewing, vs. Appts. in Error. The People of the Territory of Montana to the use of Martin J. Kenna.	In Error to the Supreme Court of the Territory of Montana

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs, on the authority of the decision in the case of Scott v Boughton, No 912, October Term, 1881.

per Mr. Chief Justice Waite.

300	Charles F. Root, Executor of Thomas Sayles, deceased. vs. The Richmond, Fredericksburg & Potomac Railroad Co. Appellant	Appeal from the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the tran-

script of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

(Mr. Justice Blatchford did not sit during the argument of this cause and took no part in the decision.)

1004 The Town of Prairie et al vs. Pipps, in Error. / J. William Lloyd, Clerk of Shelby County, William Miller, Treasurer of Shelby County, Charles E. Lippincott, Auditor of Public Accounts, et al. | In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of Illinois, and on the motion to dismiss, which was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the writ of error in this cause, be, and the same is hereby, dismissed for the want of jurisdiction

per Mr Chief justice Waite

Ex parte: In the matter of Samuel Floyd Heard and The Oriental Cemetery Association. Petitioners

1st Original

On consideration of the petition for a Writ of Mandamus, of the return to the rule to show cause why said Writ should not issue and, of the argument of counsel thereupon had, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Chief justice Waite.

Ex parte: In the matter of The Baltimore & Ohio Railroad Company Petitioner

1st Original

On consideration of the petition of The Baltimore & Ohio Railroad

Company, It is ordered that cause be shown by the judges of the Circuit Court of the United States for the District of Maryland & over this Court at Washington in the District of Columbia, on the 9th day of October, 1882 at 12 o'clock, noon, of that day, or as soon thereafter as counsel can be heard, why a Writ of Mandamus should not issue commanding them (unless an appeal from said Circuit Court to the Supreme Court of the United States from a decree rendered by said Circuit Court on the 21st day of February, 1882, in the case of Jeannette Marenet al. vs. the Baltimore & Ohio Railroad Company.

per Mr. Chief justice Waite

Thomas Nixon
182 vs. Appellant
The Union Paper
Bag Machine Co. et al.

On consideration of the motion for a re-taxation of the costs in this case, It is ordered that said motion be, and the same is hereby, granted.

per Mr. Chief justice Waite

1073	The United States vs. Appellant. Lawrence S. Babbitt.	On consideration of the petition for a re-hearing in this cause, It is ordered that said petition be denied and that the opinion of the Court be amended by striking out the following words, "the reasoning of that opinion seems to us incontrovertible, and we are satisfied with the conclusion reached by the Court" per Mr. Chief Justice Waite.

110	Ex parte: In the matter of Peter W. Rowland, U. S. Marshal &c. Petitioner. Original.	On consideration of the petition for a re-hearing in this case, It is ordered that said petition be denied. per Mr. Chief Justice Waite.

190	William H. Lewis vs. Appellant. Jacob Reese et al.	On consideration of the motion to rescind and annul the decree of dismissal in this cause and to reinstate the cause upon the docket, It is now here ordered

by the Court that said motion be, and the same is hereby, denied.

for Mr Chief Justice Waite.

The Memphis & St Louis Railroad Company. vs. Plffs in Error John A. Taylor, Collector, &c.	On consideration of the motion for a modification of the decree in this cause, It is

ordered that said motion be, and the same is hereby denied.

for Mr Chief Justice Waite.

Frederick Victor et al. vs. Plffs in Error C. J. Arthur, Collector, &c.	On considera-tion of the petition for a rehearing in

this cause, It is ordered that said petition be, and the same is hereby, denied.

for Mr. Chief Justice Waite.

Order.

The Reporter having represented that owing to the number of decisions at the term it will be impracticable to put the reports in one volume, It is now therefore, ordered

that he publish an additional volume in this year, pursuant to section 681 of the Revised Statutes.

Order.

It is now here ordered by the Court that all the cases on the docket not decided and all the other business of the term not disposed of by the Court be, and the same are hereby, continued to the next term of the Court.

Lewis Hammock et al.		Mr. F. H. Hedging-
1041 15	Appellants	er filed and sub-
The Farmers Loan & Trust Co.		mitted to the con-
		sideration of the

Court, motion to modify the decree and to stay the issuance of the Mandate in this cause. Thereupon, It is now here ordered that said motion be, and the same is hereby, denied.

Ex parte: In the matter of Albert Grant, Petitioner.

Mr. D. G. Butler by leave of the Court filed motion for leave to file petition for writ of Mandamus and for a rule to show cause why said Writ should not issue. Thereupon, It is ordered that the consideration of said motion be, and the same is hereby, postponed until the next term.

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237 The Cincinnati, Portsmouth, Big Sandy & Pomeroy Packet Co. vs. The Board of Trustees of the Town of Catlettsburg. Appellant.

On motion of Mr. D. D. Townsend, of counsel for the appellant, leave is hereby granted to file a petition for rehearing in this cause within the first five days of the next term and it is ordered that the issuance of the Mandate be stayed until the further order of the Court.

	The Newport & Cincinnati Bridge Company	Ordered by the Court that leave be, and the same is hereby, granted
32	vs Appellant.	
	The United States	

to file a petition for rehearing in this cause within the first five days of the next term and that the issuance of the Mandate be stayed until the further order of the Court.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Monday, October 9th 1882

At the Capitol of the United States, in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October, (being the ninth day of the same month) in the year of our Lord one thousand, eight hundred and eighty-two, and of the Independence of the United States the one hundred and seventh, the Supreme Court of the United States met agreeably to law.

Present.

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate Justices

John G. Nicolay, Esquire, Marshal
James M. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips it is ordered that George H. Lemmon Sanders, Esquire, of New York City, John N. Staples, Esquire, of Greensboro, State of North Carolina, and Mr. T. Rogers, Esquire, of Brooklyn, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that Frederick N. Whitridge, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that George H. Spahr, Esquire, of Indianapolis, State of Indiana, and Jo. N. Call, Esquire, of Des Moines, State of Iowa, be admitted to practice as

attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered that Charles N. Toll, Esquire, of Denver, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. N. Sypher it is ordered that J. N. Sypher, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. H. Hackett it is ordered that Samuel N. Wilcox, Esquire, of Ithaca, State of Newyork, and Walter Haine, Esquire, of Augusta, State of Maine, be admitted to practice as

attorneys and counsellors of this Court and they were sworn accordingly.

Ex parte: In the matter of Newton Martin Coles, Petitioner. | On motion of Mr. F. H. McPherson, in behalf of

Mr. O. D. Smith, leave is hereby granted to file petition for a Writ of Habeas Corpus, and the case is assigned for argument at the foot of the call for the 23rd instant.

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18 John H. Jones vs. Appellant / Louis McMurray. | On motion of Mr. C. V. Barrett, on behalf of counsel, ordered that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

1161 Richard A. Parkinson vs. Plff in Error / The United States. | On a certificate of division in opinion between the

Judges of the Circuit Court of the

United States for the District of Nevada.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nevada and on the points or questions on which the judges of the said Circuit Court were opposed in opinion, and which were certified to this Court for its opinion agreeably to the Act of Congress in such case made and provided. And it appearing from the statement in open Court made by Mr. Solicitor General Phillips, of counsel for the United States, that this Court has no jurisdiction of the case, It is now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed for the want of jurisdiction upon the authority of the decision of this Court in the case of The United States vs. Emholt, No. 238, of October Term, 1881; And that this cause be, and the same is hereby, remanded to the said Circuit Court.

per Mr. Chief Justice Waite

962	Henry Seymour King, Appellant vs. Franklin A. Cornell, Admr &c. et al.	On motion of Mr. F. H. Babbitt, in behalf of counsel for the appellant, ordered that this cause be, and the same is hereby, advanced pursuant to Rule 32.

1190	Henry N. Turner vs. Plff. in Error The State of Maryland.	Mr. E. J. D. Cross, of counsel for the plaintiff in error, filed and submitted to the consideration of the court, motion to advance this cause.

867	The People of the State of New York, Plffs. in Error vs. The Compagnie Générale Transatlantique.	Mr. George Nicholas Sanders, of counsel for the plaintiffs in error, filed and submitted to the consideration of the Court motion to advance this cause.

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814 The Farmers Loan & Trust Company et al Appellants vs. Christian Haberman et al.

The motion to affirm the decree in this cause was submitted to the consideration of the court on the record and printed arguments by Mr. J. M. Butler, in support of the same and by Mr. J. D. Campbell, in opposition thereto.

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297 Matthew F. Johnson, Executor &c. et al Appellants vs. Stephenson Waters, Admr &c.

The motion for the increase of the amount of the Supersedeas bond in this cause was submitted to the consideration of the court on printed arguments by Mr. Julius Kroni, in support of the same and by Mr. John A. Campbell, in opposition thereto.

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612 N. C. Brown, Plff in Error vs. The State of Colorado.

Mr. Charles A. Toll, of counsel for the defendant in error, called up the mo-

tions to advance and dismiss in this cause. Thereupon, on motion of Mr. Edwards Gage, of counsel for the plaintiff in error, It is ordered that the hearing of said motions be postponed for five weeks.

Ex parte: In the matter of the Baltimore & Ohio Railroad Company, Petitioner. | On motion of Mr. F. D. Cross, of counsel for the petitioner, ordered this

11 Original.

cause be assigned for argument on Monday the 16th instant.

The City of Ottawa, Plff. in Error. vs. William T. Cary | Mr. Fillmore Beall, in behalf of counsel for the defendant in error, filed and submitted to the consideration of the Court motion for leave to file a supplemental brief in this cause.

694

97	The United States vs. J. M. Stone et al and J. M. Stone et al vs. The United States	On motion of Mr. R. S. Merrick leave is hereby granted Mr. A. M. Clayton to withdraw his appearance as counsel for J. M. Stone et al in these cases.

The Chief Justice announced that the court would commence the call of the docket tomorrow pursuant to the 26th Rule

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Tuesday October 10th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present-

The Honorable Morrison R. Waite, Chief justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray &
Samuel Blatchford, Associate justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. H. Hornor it is ordered that Melville Church, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. N. Shipman it is

ordered that S. Hanford, Esquire, of New-York City, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

196	The United States, Plaintiff's -vs- Samuel D. Singleton	On motion of Mr. Solicitor General Phillips, of counsel for the plaintiff's, ordered that this cause be assigned for argument on the first Monday in November next with No. 460

513	The City of McGregor, vs. S. H. Crosby, Def't. in Error	Mr. J. D. Campbell suggested the death of S. H. Crosby, the defendant in error in this cause and moved the court for leave to enter the appearance of Charles F. Crosby, Executor, and Eliza N. Crosby, Executrix of S. H. Crosby, deceased, as the defendant in error in this cause. Whereupon, It is ordered that Charles F. Crosby, Executor and Eliza N. Crosby, Executrix of S. H. Crosby, deceased, as aforesaid, be, and they are hereby, entered and made the parties defendants

Tuesday October 16th 1882, continued

in error in this cause.

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2 Orgl. The State of New Hampshire vs. Complainant
The State of Louisiana et al

3 Orgl. The State of New York vs. Complainant
The State of Louisiana et al

520 The State ex rel John Elliott et al vs. Plffs. in Error
Allen Jumel, Auditor, et al
and
John Elliott et al
529 vs. Appellants
Louis A. Wiltz, Governor et al

On motion of Mr Julian J. Dueslane is hereby granted counsel in these cases to file printed copies of their oral arguments.

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3 The Cincinnati, Chicago & Air Line R. R. Co. vs Appellant
James Pullan, Trustee &c.

Ordered by the Court that this cause be, and the same is hereby, passed until No. 181 shall be reached and then to stand peremptorily for argument.

5	James F. Woodstal Plff in Error vs Robert Long et al	In Error to the Supreme Court of the State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and it appearing to the court that this is the second term at which this case has been called for argument and that no brief or assignment of errors has been filed by the plaintiff in error. It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs for the want of prosecution.

per Mr Chief Justice Waite.

6	J. H. Ingate Thornton vs. Plff in Error The Marginal Freight R. R. Co. et al	The death of J. H. Ingate Thornton, the plaintiff in error in this cause having been heretofore suggested, It is ordered that Charles F. S. Thornton, Administrator of J. H. Ingate

Thornton, deceased, be, and he is hereby, entered and made the party plaintiff in error in this cause.

Charles F. S. Hingate, Administrator of J. Hingate Thornton deceased. Plff. in Error vs. The Marginal Freight Railroad Company and The Union Freight Railroad Company.	In Error to the Supreme Judicial Court of the State of Massachusetts.

This cause came on to be heard on the transcript of the record from the Supreme Judicial Court of the State of Massachusetts and on the stipulation of counsel on file, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

Thursday October 16th 1851, continued

10	George W. Bayly, individually and as Executor &c. vs. The Washington and Lee University.	Pltff in Error	This cause was submitted to the consideration of the court on the

record and printed arguments by Mr. J. M. Nimmo, and Mr. F. H. Stowe, of counsel for the plaintiff in error, and by Mr. H. J. Leavy, of counsel for the defendant in error.

11	The United States vs. The Erie Railway Co.	Pltff in Error	Ordered by the Court that this cause be, and the same is hereby, passed until

tomorrow.

12	Joseph S. Sheiburn vs. William L. Hunter et al	Pltff in Error.	Ordered by the Court that this cause be, and the same is hereby, passed.

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13 The Cumberland & Oxford Canal Corporation Plff. in Error
vs.
The State of Maine

On motion of Mr. C. P. Mattocks of counsel for the plaintiff in error, Ordered by the court that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel.

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15 The Steamship "Old Dominion", her engines, tackle &c, The Old Dominion Steamship Company, Claimant Appellant
vs.
Ames F. Crockett, Robert Crockett, William H. Decombe et al

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and upon the authority of counsel for the appellant stating that the matters in controversy have been settled, It is now here ordered, adjudged and decreed by this court that this appeal be, and

the same thereon, dismissed,
per Mr. Chief Justice Waite.

Charles Magee
16 vs. Appellant.
Syfred N. Potter, Assignee
of J. Rodman Hicksetal

The death of
Charles Magee,
the appellant in
this cause, having
been heretofore
suggested, and the death of Syfred N. Potter,
the appellee in this cause, being now suggested
It is ordered by the court in pursuance of
the stipulation on file, that William Mc-Fe-
tors & Leonard K. Fletcher, Executors of Charles
Magee, deceased, be, and they are hereby entered
and made the parties appellants in this
cause; and that Ludovic C. Cleeman, As-
signee of J. Rodman Hicksetal, be, and he
is hereby, entered and made the party
appellee in this cause.

16

William McIntyre and Leonard V. Fletcher, Executors of Charles Magee, decd. vs. Ludovic O. Leeman, Assignee of J. Redman Richards. et al.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and it appearing to the court that this is the second term at which this case has been called for argument and that no brief or assignment of errors has been filed by the appellants. It is, thereupon, on motion of Mr Ludovic O. Leeman, of counsel for the appellee, now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs for the want of prosecution.

per Mr Chief Justice Waite

17	The City of New Orleans, Appellant. vs. The New Orleans, Mobile & Texas Railroad Co.	On motion of Mr. P. Phillips, on behalf of counsel, ordered that this cause be, and the same is hereby, continued until the next term, per stipulation of counsel

137	Henry Bostwick, Receiver &c. vs. Pltf. in Error. Theodore Drinkerhoff et al	The motion to dismiss or affirm in this cause was submitted to the consideration of the court on the record and printed arguments by Mr J. Hemen Cook in support of the same, and by Mr. E. L. Fancher, in opposition thereto.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday October 11th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray &
Samuel Blatchford
} Associate Justices

John G. Nicolay Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. D. Hussey it is ordered that N. G. Nichols, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. Solicitor General

Phillips it is ordered that Erastus F. Brown, Esquire, of Newyork City, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. W. F. Morris, it is ordered that Charles L. Mitchell, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. H. L. Savage, it is ordered that L. D. Seward, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. James Coleman it is ordered that Robert S. Ransom, Esquire, of Newyork City, be admitted to practice as an attorney and counsellor of this

court and he was sworn accordingly.

On motion first made to the court in this cause by Mr. C. J. Hillyer it is ordered that Carl C. Epler, Esquire, of Quincy, State of Illinois, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

57 Henry Kayser, Meinhold Kayser and Julius Kayser vs. Hoffs in Error Chester A. Arthur, Collector of the Port of New York

In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and on the motion of Mr Solicitor General Phillips, of counsel for the defendant in error, and consent of counsel for the plaintiffs in error on file, It is now here ordered and

adjudged by this court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The United States
11 vs. Plff. in Error
The Erie Railway Co.

The United States
25 vs. Plff. in Error
George H. P. C. Lee

Frederick Kaufman
& Richard P. Strong
26 vs. Plff. in Error
George H. P. C. Lee
and
John M. Bailey, late
Collector &c.

27 vs. Plff. in Error
The New York Central
& Hudson River R. R. Co.

Ordered by the court that these cases be, and the same are hereby, passed and assigned for argument on the 16th instant after No. 4, Original.

Augustus D. Juilliard,
31 vs. Plff. in Error
Thomas B. Freeman.

On motion of Mr. Wm. Allen Butler, of counsel for the

plaintiff in error, ordered that this cause be, and the same is hereby passed subject to provisions of section 7, rule 36.

19	Wm. T. Williams and Sarah O. Williams vs. Appellants. The U. S. Penfield et al	On motion of Mr. Opie Montgomery of counsel for the appellants, ordered that this cause be, and the same is hereby, postponed to foot of the day call.
12	Joseph N. Sheiburn, vs. Pff. in Error William S. Hunter and William Nobles	In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and it appearing to the court that the death of Joseph N. Sheiburn, the plaintiff in error in this case, was suggested at the October

Term 1880, and that this is the third term at which this case has been called for argument and no steps have been taken, as provided by rule No. 15 of this court, to cause the proper parties to be entered, the case is abated. Therefore, It is ordered and adjudged that this writ of error be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

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831 Hiram Cable, Appellant. vs. Thomas V. Ellis

Mr. George H. Shaw, of counsel for the appellee, filed and submitted to the consideration of the court, motion to advance this cause pursuant to Rule 32

1009 Asa C. Call Appellant. vs. Henry N. Palmer.

Mr. J. N. Call, of counsel for the appellant, filed and submitted to the consideration of the court, motion to advance this cause pursuant to Rule 32

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70 John N. Coughlin Admrx. vs. Error to the District of Columbia

This cause was argued by Mr. Walter D. Davidge, of counsel for the plaintiff in error, and by Mr. J. J. Riddle, of counsel for the defendant in error.

21 The Chicago, Danville & Vincennes R. R. Co. et al. vs. William N. Fosdick et al. Appellants

On motion of Mr. E. Hacker, of counsel for the appellants, leave is hereby granted him to file additional brief in this cause.

21 The Chicago, Danville & Vincennes R. R. Co. et al vs. William N. Fosdick et al Appellants

The argument of this cause was commenced by Mr. E. Hacker, of counsel for the appellants, and continued by Mr. Henry Crawford and Mr. C. D. Lawrence, of counsel for the appellees.

Proclamation being made the court is ad-

Thursday October 12th 1882

Pursuant to adjournment the court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray &
Samuel Blatchford

Associate Justices

John F. T. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the court on this behalf by Mr. F. H. Hackett it is ordered that John H. C. Brookes Esquire, of Alexandria, State of Virginia, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court on

this behalf by Mr. P. L. Benedict it is ordered that F. L. Simon, Esquire, of Canandaigua, State of New York, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court on this behalf by Mr. M. F. Morris it is ordered that Henry C. Pitney, Esquire, of Morristown, State of New Jersey, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

45	Benjamin Hayden, vs. Charles Manning	Appellant	On motion of Mr. H. H. Upson, on behalf of appellee, ordered that this cause be, and the same is hereby passed subject to the provisions of Section 4, rule 24

58	The Steamship "Nevada" &c vs. Sergeant J. Quick et al.	Appellants.	Mr. R. L. Benedict, of counsel for the Appellees.

suggested the death of Frederick A. McKnight, one of the Appellees in this cause, and moved the Court for leave to enter the appearance of Lucia N. McKnight, Administratrix of Frederick A. McKnight, deceased, as one of the Appellees in this cause. Whereupon, it is ordered that Lucia N. McKnight, Administratrix of Frederick A McKnight, deceased, as aforesaid, be, and she is hereby, entered and made a party Appellee in this cause.

604	N. C. Brown Plff in Error vs. The State of Colorado	On motion of Mr Charles Case, of counsel for the plaintiff in error, ordered that the hearing of the

motions in this cause be, and the same are hereby, postponed until the 30th instant.

759	The Independent School District of Steamboat Rock, Hardin Co., Iowa Plff in Error vs. Joel Stone	This cause was submitted to the consideration of the Court on the record and printed arguments

by Mr George G. Wright, of counsel for the plaintiff in Error, and by Mr. C. C. Nourse and

Thursday, October 12th 1852. Continued.

Mr. D. T. Kaufman, of counsel for the defendant in error, moved the Court

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	The Mechanics Banking Ass'n of Vincennes P.P.& al.	The argument of this cause was continued by Mr C. B. Lawrence of counsel for the
21.	vs. Appellant	
	William R. Fosdick et al	

Appellees; by Mr. M. N. Fuller, of counsel for Fosdick and Fish, and concluded by Mr E. Walker, of counsel for the appellants.

	William Y. Williams and Sarah C. Williams	The death of William Y Williams, one of
9.	vs. Appellants	
	Uri S. Penfield et al.	the appellants in this cause

having been heretofore suggested, It is, on motion of Mr J. H. D. Dwyer, on behalf of counsel for Appellants, ordered that Robert M. Wallace, Public Administrator of Lewis County, Missouri, in charge of the estate of William Y. Williams, deceased, be, and he is hereby, ordered and made a party appellant in this cause.

	Robert M Wallace, Public Admr &c. Sarah C Williams	On motion of Mr D. D. T. Ruyden of counsel for the appellees leave is here by granted counsel
19	vs. Appellants	
	Uri L. Penfield et al.	

for Appellants to file additional brief within ten days from this day and counsel for appellees to file additional brief within ten days thereafter

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	Robert M Wallace, Public Admr &c. Sarah C Williams	This cause was submitted to the consideration of the Court on the record and printed argu
19	vs. Appellants	
	Uri L. Penfield et al	

ments by Mr Eppa Hunton and Mr. M. H. Nalle, of counsel for the Appellants, and by Mr D D T Ruyden, of counsel for the Appellees

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	Uri L. Perkins	This cause was
23	vs. Appellant	argued by Mr. C. L. Mitchell of
	John Roberts	counsel for the

Appellant and by Mr. William Kibbell Fisher, of counsel for the Appellee

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Thursday October 12th 1882 adjourned

	The Board of County Commissioners of Pulaski County	This cause was submitted to the consideration of the Court on the record and printed arguments to be filed by Mr Lyman Trumbull of counsel for the plaintiff in error, and by Mr. A. H. Tellier, of counsel for the defendant in error.
30	vs.	
	William R. Miller	

	Mary Hammers	Appeal from the Circuit Court of the United States for the District of Iowa
31.	vs. Appellant	
	John H. Brooks and Alpheus Hardy, Trustees.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and on the submission of counsel on either side. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

By the Chief Justice Waite

	Augustus Sawyer	Ordered by the Court
32.	vs Appellant	that this cause be,
	Edward Wilson et al	and the same is
		hereby continued until

the next term for Submission of Counsel

	Cape Girardeau County	In Error to the Circuit
33.	vs Plff in Error	Court of the United
	Leonard Hettermann	States for the Eastern
		District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and on the stipulation of counsel thereon. It is now here ordered and adjudged by this Court that the writ of error be, and the same is hereby dismissed with costs in this Court to be paid by defendant in error

per Mr Chief Justice Waite.

	William K. Reynolds et al	The argument of
34.	vs Appellants	these cases was
	William H. Vanderbilt et al	commenced by
	and	Mr. R. H. Kimball,

	William N. Vanderbilt et al		of counsel for
35.	vs.	Appellants	William N.
	William N. Reynolds et al		Reynolds et al

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Friday, October 13th 1882

Pursuant to adjournment the Court met
today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate Justices

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion it is ordered that William C. Wrotnot, Esquire, of Boston, State of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Friday, October 13th 1882. continued.

The People of the State of New York	Argument of Mr. William Allen Butler in favor of the motion for an order directing the Commissioners of Quarantine to issue a permit to the steamship "Egypt" to proceed to her dock.
vs.	
The Commissioners of Quarantine.	

Mr. Butler leave is hereby granted to withdraw said papers on file in behalf of the North German Lloyd, The Cunard Steamship Company et al

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William K. Reynolds et al	The argument of these causes was continued by Mr. R. D. Benedict, of counsel for William K. Reynolds et al, by Mr. H. W. Allen
34 vs.	
William K. Vanderbilt et al	
William K. Vanderbilt et al	
35 vs.	
William K. Reynolds et al	

Butler of counsel for Wm. K. Vanderbilt et al, and concluded by Mr. R. D. Benedict, of counsel for William K Reynolds et al

Leave is hereby granted counsel to file additional briefs in these causes.

October 13th 1882 continued

The Lawson & Andrew Manufacturing Company vs. Appellants. The Joint Cassia Cutting & Shearing Co. Appellees.	Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and the Appellant having been three times solemnly called by the Marshal to come into Court and prosecute its appeal, and failing to appear. It is, therefore, upon, on pursuance of the 16th rule of this Court, and on the motion of Mr. Edmund Smith, of counsel for the appellees, now here ordered, adjudged and decreed by this Court that this cause be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded on according to law and justice.

per Mr Chief Justice Waite

Sunday October 24th 1841 continued

John W. Wyeth	Commenced at
& Assistant	the same hour
Sammel B. Redgewell	commenced to
	the Sanctuary

I remain for the present

Montana. October 16th 1882

Pursuant to adjournment, the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William Strong
Nathan Clifford
Noah H. Swayne
Samuel Freeman Miller

Associate Justices

John G. Sheldon, Esquire, Marshal

James H. Ryan, Esquire, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. Lloyd Harding, it is ordered that H. S. Rainey, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. Assistant General Phillips it is ordered that Henry M. Baker Esquire of Washington District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in his behalf by Mr. F. H. Rockett it is ordered that Baynard S. Dix Esquire of Prince County State of Virginia and Woodbury Dixon Esquire citizen State of Maryland be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

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On motion first made to the Court in this behalf by Mr. Asbury Dodd it is ordered that Walter Jenkins Esquire of Washington District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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Ignatius Cable	On consideration of
137 vs. Appellant	the motion to advance
Thomas B. Ellis	this cause pursuant

to rule 32, It is ordered that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Waite

	Asa G. Bull	On consideration of the
1009	vs. Appellant	motion to advance this
	Henry A. Palmer	cause pursuant to rule
		32, It is ordered that

said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite

	The People of the State of	On consideration of
	New York	the motion to advance
337	vs. Pliffs in Error	this cause, It is order
	The Cincinnati Inclevator	ed that said motion
	Transatlantique	be, and the same is

hereby granted, the case to be taken up pursuant to Section 1, rule 36.

per Mr. Chief Justice Waite

	Kenny & Turner	On consideration of
1010	vs. Pliff in Error	the motion to advance
	The State of Maryland	this cause, It is or
		dered that said

motion be, and the same is hereby, granted. The
case to be taken up pursuant to section 25 rule 24
for the Chief Justice Taney

Matthew F. Johnson	On consideration
Executor &c, et al.	of the motion for
97 vs. Appellants.	the increase of the
Stephenson Hales, Admr.	amount of the
	Supersedeas and

the case it is ordered that said motion be
and the same is hereby denied
per Mr Chief Justice Taney

Samuel J. Tilden	Appeal from the
51 vs. Appellant	Circuit Court of the
United States	United States for
	the Southern District

of New York

This cause came on to be heard on the tran-
cript of the record from the Circuit Court of the
United States for the Southern District of New
York, and on the motion of Mr. Solicitor Gen-
eral Phillips, of counsel for the appellee, and
counsel of counsel for the appellant on file, It
is now here ordered, adjudged & decreed by

this Court that this appeal be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

	Andrew Jackson	Mr. William G.
Oct	vs. Appellant	Payne, of Counsel
	Samuel A. Swanhow et al's.	for the plaintiff in
		error, this day

submitted to the consideration of the Court motion to advance this cause.

	The Bailey Reaping	Appeal from the
	Machine Company	Circuit Court of
179	vs. Appellant	the United States
	Charles R. Collins and	for the Northern Dis-
	Newell E. Woods	trict of Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr. Hoadley Clark, in behalf of Mr. Thos. Lee Hoadley, of Counsel for the Appellant, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the

Monday, October 11th 1852 continued

same is hereby dismissed with costs
on the petitioners suit

The Ohio Insurance
Trusting Company
vs. Appellants
Chas. & Collin Van
Nouse & Woods

Appeal from the
Circuit Court of the
United States for the
Northern District of
Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr. Wood here Blair, in behalf of Mr. Chas Van Hook, one of counsel for the appellants, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs
on the petitioners suit

Willard Parker, &
vs. Appellant
Let Mc. Merrill

The matters in dispute in this cause was submitted to the consideration of the Court on the record and

printed arguments by Mr. J. D. Condon, in support of the same, and by Mr. D. D. Lord, in opposition thereto.

	The Ohio Life Insurance & Trust Co.	The motion to dismiss or affirm, to strike out assignment of errors, or to advance in these cases were submitted to the consideration of the Court on printed arguments by Mr. Theodore Sill, in support of the same, and by Mr. J. J. Chapman, in opposition thereto.
151.	vs.	
	Charles Stuart Hurlbut et al	
	vs.	
170.	Same	
	Ohio Life Insurance & Trust Co.	

	John C. Maghee	The argument of this cause was continued by Mr. George Harding,
37	vs.	
	Samuel B. Rodgers et al	

of Counsel for the Appellant, and Mr. Channcey Smith, of Counsel for the Appellees, was concluded by Mr. George Harding, of Counsel for the Appellant.

Ex parte: In the matter of The Baltimore & Ohio Railroad Company.

H. Quarles. Petitioner

The argument of this case was continued by Mr. E. H. Lewis, of counsel for the petitioner, and continued by Mr. John M. Thomas, of counsel for the respondent.

Recess having been made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 14th 1862

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Warren L. Hall, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William L. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford

} Associate Justices

John F. Meechay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court is opened

George Myers vs. Plff in Error Frederick J. Swanwick	The death of George Myers, the plaintiff in error in this cause having been heretofore suggested and an order of publication issued, It is ordered, on motion of Mr. F. H. Pincay that Mary J. Myers widow of George Myers, deceased, in her own right and as

and friends of Arthur A. Myers, Ethel Myers and Elmer K. Myers, infant children and heirs at law of Horace Myers deceased and Caroline Kellock and Cornelius Mc Kellock her husband, Robert C. Myers, George B. Myers Kate Mc Myers and James C. Myers, heirs at law of George Myers deceased, be and they are hereby ordered and made the parties plaintiffs in error in this cause.

Ex parte: In the matter of The Baltimore & Ohio Rail-road Company.

Original Petitioner

The argument of this case was commenced by Mr. John H. Thomas of counsel for the respondents, & was concluded by Mr E. J. D. Cross of counsel for the petitioner

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The United States

vs. Writ in Error.

The Erie Railway Co.

The argument of this cause was commenced by Mr Edwards Pierrepont of counsel for the plaintiff in error and continued by Mr. W. D. Shipman of counsel for the defendant in error

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Wednesday, October 15th 1884

Pursuant to adjournment the Court met to-
day at the Capitol

Present.

The Honorable Morrison R Waite, Chief Justice

Samuel F Miller
Stephen J Field
Joseph P Bradley
John M. Harlan
William B Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate Justices

John F Nicolay, Esquire, Marshall

James A McKenney Clerk

(Proclamation being made the Court is opened.)

On motion first made to the Court in this behalf by Mr. A L Riddle it is ordered that Henry E Davis, Esquire, of Washington, District of Columbia, be admitted to practice as an attorney and counsellor of this Court, and he was duly accordingly.

Error from Circuit Court of the United States

Samuel G. Tobias
vs. Appellant
The United States

Statement of the
Solicitor General Phillips
of counsel for the
appellant moves that
he may have leave to

The United States
vs. Plaintiffs in Error
Geo. Cubreth &c

Statement of the
facts was submitted
by Solr. Gl. Phillips
of counsel for the de-
fendant in error and remarked to Mr. Solicitor
General Phillips of counsel for the plaintiffs in
error

The United States
vs. Plaintiffs in Error
George A. & C. Lee
&
Frederick Kinsman
& Richard P. Strong
vs. Defendants in Error
George A. & C. Lee

Ordered by the Court
that there be a
Mandate issued
in the usual form and that
the Clerk do deliver
on behalf of the de-
fendant in error

Wednesday October 6th 1852 continued

The Queen Sales
vs
Richard P. Strong
Upon Error
Error to Dane Co

The argument of these causes was commenced by Mr. H. Williams of counsel for the plaintiffs in error, and continued by Mr. Spooner of counsel for the defendant in error

Special motion being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 19th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Abraham O. Vanderpool Chief Justice

Samuel H. Allen
Stephen A. Dodd
Joseph P. Bradley
John Ward
William B. Woods
Stanley Matthews
Horace Gray Jr.
Samuel Blatchford

} Associate Justices

Wm. H. Newton, Esquire, Marshal
James H. McKenney Clerk.

Proclamation having been made the Court is opened.

On motion first made to the Court in this behalf by Wm. Walter H. Smith it is ordered that Thomas Gardiner Esquire of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court and do his due acknowledgment.

On motion first made to the Court in

This being the Hon. Solicitor General Phillips it was moved that William C. Richardson, Esquire, of Atlanta, State of Illinois, be admitted to practice as an Attorney and Counselor of this Court and he was sworn accordingly

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The Board of County Commissioners of Pueblo County	vs.	Fillmore Beall
William R. Stebbins		

On motion of Fillmore Beall, on behalf of counsel, ordered that the submission of this cause be, and the same is hereby, set aside.

The Board of County Commissioners of Pueblo County	vs.	In Error to the Circuit Court of the United States for the District of Colorado.
William R. Stebbins		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Colorado, and on the motion of Fillmore Beall, on behalf of Lyman Trumbull, of

counsel for the plaintiff in error. It is now
surrendered and adjudged by this Court that
the writ of error in this cause be and the same
is hereby dismissed with costs
for want of jurisdiction.

75.	The United States vs. Plff in Error Horace M. P. Co. Lee	The argument of this cause was continued by Mr. Hill for plaintiff in error & by Mr. H. J. Robertson of counsel for the defendant in error, and
76.	Frederick Kaufman Richard P. Strong vs. Plff in Error Horace M. P. Co. Lee	

concluded by Mr. Solicitor General Phillips
of counsel for the plaintiff in error

Proclamation having been made, the
Court is adjourned until to-
morrow at twelve o'clock.

Friday, October 20th 1882.

The Court met pursuant to adjournment. Present at the Capitol

Present

The Honorable Harrison R. Hall, Chief Justice

James F. Mussen
Stephen J. Field
Stanley Matthews
John M. Harlan
William B. Woods
Samuel Miller
Joseph P. Bradley
Ward Hunt

Associate Justices

John T. Sargent, Esquire, Marshal
Donald M. McKenney, Clerk

Proclamation being made the Court is opened.

John M. Harlan, late Associate Justice &c. vs. Effie Ewer &c. and Kinloch Ewer &c. &c.

Ordered by the Court that one hour additional time be allowed counsel for the defendant in error in the argument of this cause.

Tuesday October 2nd 1852 continued

John McCauley late Collector &c
vs. William Carver
The New York Central & Hudson River R.R.Co.

The argument of this cause was commenced on the 29th September ultimo by Mr. Richard McAuley of counsel for the plaintiff in error, continued by Mr. Joseph H. Choate of counsel for the defendant in error and concluded by Mr. Daniel Lord of counsel for the plaintiff in error.

John McCauley late Collector &c
vs. William Carver
The New York Central & Hudson River R.R.Co.

On motion of Mr. Joseph H. Choate, of counsel for the defendant in error, leave is hereby granted him to file additional authorities in this cause.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday October 23d 1852.

Pursuant to adjournment the Court met
& adjourned the Capitol.

Present

[illegible] Morgan & Hall } Circuit Judge
James H. Wilson
Stephen J. Field
Joseph P. Bradley
John M. Jordan
William J. Woods
Samuel Matthews
Horace Gray Jr.
Samuel Blatchford } Associate Justices

John L. Jordan Esqr. Marshal
James H. McKenney. Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. R. J. Merrick. It is ordered that A. A. Freeman Esquire of Brownsville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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On motion [illegible] made to the Court in this cause by [illegible] it is ordered that [illegible] be and he is hereby admitted to practice as an attorney and counsellor of this Court and he was [illegible] accordingly.

John H. Jenkins vs. Appellant Jane Roberts	Appeal from the Circuit Court of the United States for the

Southern District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Mr. Justice Blatchford

The Chicago Danville & Vincennes R. R. Co.,
James H. Evans & Geo. R. Biddle
vs. Appellants
Wilbank & Fredrick
James D. Fish, Fredrick
S. Snidacker, Thomas
H. Shannon & John W.
Denison.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court, that the appeal from the decree entered April 19th 1877 confirming the report of the sale of the property of the Indiana Railroad Company, and the appeal from the decree of June 11th 1877 ordering the delivery of the deed and possession of the property to the purchasers Fredrick S. Snidacker, Thomas H. Shannon and John W. Denison be, and the same are hereby dismissed

upon the ground that these decrees were vacated by by the reversal of the said decree of foreclosure and sale rendered December 9th 1876; And it is further ordered, and judged and decreed that the mandate of said Circuit Court in this cause issued on the 19th day of November, 1879, in favor of Frederick W. Knickerbocker, Thomas H. Shannon and John McKinnis, be and the same is hereby recalled and annulled with costs; And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to proceed therein as may be just and equitable.

per Mr Justice Matthews

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28. The Provident Mutual Life Insurance Company of Portland, Connecticut vs. Plff in Error
Caroline R. Kostes, Mary J. Riddle, Taylor Riddle, & Leon H. Riddle Dora M. Riddle & Jane Riddle by their next friend Caroline R. Kostes

Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered & adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Kansas.

per Mr. Justice Harlan.

John L. Bacon & N. E. Baskerville partners under the style & firm of Bacon & Baskerville et al vs. Appellants.

George C. Rives in his own right & as Administrator de bonis non &c of George Rives, deceased, & Henry Rives, Executor of George Rives deceased, & Alfred L. Rives, Executor of Wm A. Rives, deceased,

Appeal from the Circuit Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs: And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court

per Mr. Justice Nelson

Henry Bostwick an Trustee of
The National Bank of Fishkill,
The National Bank of Fishkill,
Lewis H. White, Henry Bostwick, Jacob
G. Van Wyck, Henry D. Sherwood
& Directors of The Natl. Bank of Fishkill
134 vs. Plaintiffs in Error
Theodore Brinckerhoff, suing in
his own behalf &c. for the benefit
of the other Stockholders of the
National Bank of Fishkill.

In Error to
the Court of
Appeals of the
State of New
York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and on the motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of Error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

Willard Parker, Junior.
vs. Appellant
Lot M. Morrill

Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and on the motion to dismiss which was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for

the want of jurisdiction

per Mr Chief Justice Waite

The Crane Iron Company. Pffs in Error vs. Amos Noagland et al, Commrs &c.	On consideration of the motions to dismiss or affirm to strike out assignments of error or to advance in these causes, it is ordered that
Charles Stuart Wards et al Pffs in Error vs. Amos Noagland et al, Commrs &c.	

said motions be, and the same are hereby denied.

per Mr Chief Justice Waite

Ex parte: In the matter of J. B. Wall Petitioner	On consideration of the petition of J. B. Wall, It is hereby

ordered that cause be shown by James H. Locke, Judge of the District Court of the United States for the Southern District of Florida, before this Court, at Washington, in the District of Columbia on the second Monday of December next at 12 o'clock noon, of that day, or as soon thereafter as

counsel can be heard, why a writ of Mandamus should not issue compelling him to vacate and set aside the order entered in said District Court on the 10th day of March A.D. 1882. prohibiting said petitioner from practicing at the bar of said Court, and to restore said petitioner to all the rights, privileges and immunities of an Attorney and Proctor of said Court.

per Mr. Chief Justice Waite.

1111 Francis Dainese. vs. Appellant
John C. Kendall
John D. McPherson
and Charles C. Gordon

Mr. R. Ross Perry, of counsel for the Appellees, having filed in open Court the following certificate from the Register in Chancery of the District of Columbia

"Register's Office, Supreme Court of the District of Columbia

Francis Dainese, Complainant
vs.
John C. Kendall,
John D. McPherson,
Charles C. Gordon, Defendants
No. 5520. Equity Docket C.

This certifies that on the 10th day of October

the said Court in General Term, passed a decree in behalf of the defendants in the above stated cause; that on the 31st October, 1881 the complainant in said cause by his Solicitor in General Term prayed and was allowed his appeal from said decree to the Supreme Court of the United States and that on said 31st October 1881 said Complainant, by Solicitor filed his bond for said appeal.

Witness my hand and
the Seal of said Court.
This 24th October 1882.

Seal.

R. J. Meigs. Clerk &c.
By R. J. Meigs Jr Asst Clerk.

and having stated that the Appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal moved the Court in pursuance of the 6th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal from the Supreme Court of the District of Columbia be and the same is hereby docketed and dismissed with costs; and that this cause be and the same is

hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

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17. The City of New Orleans vs. Appellant. The New Orleans, Mobile & Texas Railroad Co.

Mr. John L. Cadwalader, of Counsel for the appellee, moved the Court to dismiss this appeal per stipulation on file, which was opposed by Mr. R. T. Merrick in behalf of the Board of Liquidation of the State of Louisiana. Whereupon - It is ordered by the Court that the hearing of said motion be postponed for the present.

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811. Central Union Telegraph Co. vs. Plff. in Error. Samuel C. Greenlow, Treasurer &c.

On motion of Mr. Henry Wise Garnett, leave is hereby granted the Attorney General of the State of Virginia to file, on or before Friday next, brief in opposition to the motion heretofore submitted to advance this cause.

	Henry D. Cone	Cases in the Circuit Court
38.	vs. Appellant	in these causes
	The Morgan Envelope Co.,	and the same
	Henry D. Cone	are hereby continued
39.	vs. Appellant	until the next term
	The Whiting Paper Co.	for the convenience
	and	of counsel.
	Henry D. Cone	
40.	vs. Appellant,	
	Lewis J. Powers	

	Otis Pigeon	This cause was
41	vs. Appellant	argued by Mr
	Geo. A. Ames	S. S. Henkle of
		Counsel for the

Appellant and by Mr G. A. Ames, of Counsel for the appellee

	Wm Henry Jessup et al	The argument
113.	vs. Pffs. in Error	of this cause
	The United States	was commenced
		by Mr. John[illegible]

Hand, of Counsel for the plaintiffs in Error

Proclamation being made the Court is adjourned until

Tuesday October 24th 1882.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford } Associate Justices.

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation having been made the Court is opened

On motion first made to the Court in this behalf by Mr. Assistant Attorney General McKenney it is ordered that Levi T. Griffin Esquire, of the State of Michigan, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

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Tuesday October 9th 1877 Continued

41.	The City of New Orleans vs. The New Orleans, Mobile & Texas Railroad Co. Appellant	Ordered by the Court that the hearing of the motion to dismiss this appeal be, and the same is hereby, postponed until the second Monday in November next.

43.	Wm Henry Jessup et al vs. The United States Plts in Error	The argument of this cause was continued by Mr. John E. Ward of counsel for the plaintiffs in error, by Mr. Assistant Attorney General Mawry, of counsel for the defendant in error, and concluded by Mr. John E. Ward, of counsel for the plaintiffs in error.

44.	Thomas Sutton & Co et al vs. T. P. Mast & Company. Appellants.	Ordered by the Court that this cause be & the same is hereby continued under the next term.

America L. Bedford
& John R. Bedford
No. vs. Appellants
George H. Durlow

This cause was argued by Mr. C. A. Freeman of counsel for the appellees and submitted on printed arguments by Mr. R. W. C. Smith, of counsel for the appellants

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The American Cotton Oil Company et al
vs. Appellants
No. Linnaeus H. Simmons et al

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. R. Duncan, of counsel for the appellants, and Mr. B. F. Thurston, of counsel for the appellees.

Rufus Rapsles
vs. Pltff in Error
No. 118 Mrs Elizabeth C. Rapsles
Jubrix &c.

This cause was argued by Mr. Charles H. Armor of counsel for the plaintiff in error and by Mr. A. J. Merrick, of counsel for the defendant in error.

The Ship Sterling et al
vs. Appellants.
C. McAleer et al

This cause was argued by Mr. J. Parker Carlisle of counsel for the appellants & by Mr. Joseph P. Brown of counsel for the Appellees

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B. F. Bean Claimant &c.
50. vs. Appl. in Error
The United States

On motion of Mr E. J. Smith of counsel for the plaintiff in error ordered that this cause be, and the same is hereby passed subject to provisions of Rule 9 sub 2d.

Ex parte: In the matter of Newton Martin Curtis
6 Original. — Petitioner

On motion of Mr. E. J. Smith of counsel for the petitioner, leave is hereby granted him to file an additional brief in this case

---

Tuesday, October 21st 1884. continued

Ex parte: In the matter of Newton Marion Davis.	The argument of this case was resumed by Mr. Edwin P. Smith, of counsel for the petitioner, and concluded for the Solicitor General Phillips, of counsel for the United States.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 23d

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Ward Matthews
Horace Gray Jr.
Samuel Blatchford,

Associate Justices

John G. Nicolay, Esquire Marshal
James H. McKenney Clerk

Proclamation commanding the Court to be opened

On motion first made to the Court in his behalf by Mr. M. D. Davidge, it is ordered that Clifford A. Hand, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

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On motion first made to the Court in the

behalf by Mr. Walter H. Smith it is ordered that Harrison Geer, Esquire, of Lapeer, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and it was so accordingly.

1111. Francis Raines
vs. Appellant.
John E. Kendall et al

Mr. George S. Douglass moved the Court to recall the order entered on the 23d instant docketing and dismissing this appeal and for leave to reinstate the cause upon the docket. Whereupon, It is ordered that the order of the 23d instant docketing and dismissing this appeal be, and the same is hereby, rescinded and annulled; and that the appellant have leave to file the record and have his cause docketed in conformity with the rules of this Court upon payment of costs.

per Mr. Chief Justice Waite

1029. Ida Schreiber
vs. Appellant.
Walter H. Roberts et al

Mr. D. F. Butler of counsel for the Appellant, filed

and submitted to the consideration of the Court motion to advance this cause.

Ex parte: In the matter of Newton Martin Curtis Orianna — Petitioner

The argument of this case was concluded by Wm. Edwin B. Smith of counsel for the petitioner.

---

51. James D. Russell et al Os. Appellants. Thomas Allen et al &c.

The death of Thomas Allen one of the appellees in this cause, having been heretofore suggested, It is ordered, on motion of Wm. A. N. Kunze, of counsel for the appellees, that Anne R. Allen, William R. Allen and George H. Allen, Executrix and Executors of Thomas Allen, deceased, be, and they are hereby, entered and made parties appellees in this cause.

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51. James L. Russell et al Os Appellants. Anne R. Allen Wm R. Allen & Geo H. Allen Exts & Excrs &c. et al &c.

This cause was argued by Wm Hilliard Brown of counsel for

the appellants, and by Mr. Chester N. Krum, of counsel for the appellees.

Ranier Tyler vs. Appellant Robert B. Campbell	The argument of this cause was commenced by Mr. Ferrandle Lewis, of counsel for the Appellant

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The argument being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, October 26th 1854.

Pursuant to adjournment the Court met

and opened the Session.

Present

The Honorable Morrison R. Waite, Chief Justice

James F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William Strong
Stanley Matthews
Nathan Clifford
Noah H. Swayne

} Associate Justices

John G. Nicolay, Esquire, Marshal
James H. McKenney, Clerk.

Proclamation being made the Court

is opened.

On motion first made to the Court in this behalf by Mr. Philip Phillips, it is ordered that Francis E. Williams, Esquire, of Nashville, State of Tennessee, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. R. W. Benedict it is ordered that Eugene H. Lewis, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and that he have leave accordingly

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	Daniel Tyler vs. Appellant. Robert B. Hamphus	The argument of this cause was continued by Mr. Clifford A. Allen, of counsel for the appellee, and concluded by Mr. Wheeler H. Peckham, of counsel for the appellant.

53	John N. Clark et al vs. Appellants. John S. Meeks et al	This cause was argued by Mr. John E. Parsons, of counsel for the appellants, and by Mr. H. J. Scudder, of counsel for the Appellees.

54	Mr. Fabius Pomeroy &c. vs. Pltf. in Error Thomas H. Segrave	The argument of this cause was commenced by Mr. D. L.

Chelwood, of counsel for the plaintiff in error.

A. G. Adams, Trustee et al
806 vs. Appellants
Thomas J. Quillen et al

This cause was submitted to the consideration of the Court — On record and printed arguments by Mr. W. H. McAlister and Mr. James L. Pugh, of counsel for the appellants, and by Mr. David P. Lewis, of counsel for the appellees, under the 20th rule.

George Heath and Ann Heath
887 vs. Appellants
The New England Mortgage Security Company.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John McThurston, of counsel for the appellants, and by Mr. J. K. Campbell of counsel for the appellees, under the 20th rule

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Thursday, October 26th 1865 Continued

Mary E. Kirk, widow of
J. M. Pastow, decd. & al Jubis &c.
vs. Appellant
William Lynd & al
Robert A. Lewis

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. Stewart Dennis, of counsel for the appellant, and by Mr. John A. Campbell and Mr. Thomas L. Payne, of counsel for the appellees, under the 10th rule

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On motion it is ordered that the Court do adjourn until tomorrow at twelve o'clock.

Friday October 9th 1812

Pursuant to adjournment the Court met
today at the Capitol

Present

The Honorable Marrison R. Waite, Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford

} Associate Justices

John G. Nicolay, Esquire Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Wm. A. Glennon it is ordered that F. S. Blair, Esquire of Richmond, State of Virginia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

935	Christian Ruppert vs. Pltff in Error Sylvester Maghan	In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the motion of Mr. C. C. Cole, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

936	Christian Ruppert vs. Pltff in Error Sylvester Maghan Mr. Hoffman Smith	In Error to the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and on the motion of Mr. C. C. Cole of counsel for the plaintiff in error. It is now here ordered and adjudged by this Court that the writ of

error in this cause be, and the same is hereby dismissed with costs

per Mr. Chief Justice Nau

Susanna de la Osa de Halpine
vs. Pltff. in Error
Gaston Ovanant

Mr. Baller for Appellee, of counsel for the defendant in error, presented to the Court a certificate from the Clerk of the Supreme Court of the State of California and moved the Court to docket and dismiss this cause pursuant to the 9th rule. Whereupon the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

John Van Reswick
vs. Appellant
Wm E. Spalding, Wm L. Spalding, James B. Spalding, Anna Spalding, Nellie Spalding, George H Bennett, Wm & Thomas & Wm H. Rapsley

Mr Fillmore Beall, of counsel for the appellees, having filed in open Court the following certificate, to wit:

"

In the Supreme Court of the District of Columbia-

John Van Rizwick, Complainant

vs.

William E. Spalding, William L. Spalding, James A. Spalding, Anna Spalding, Willie Spalding, George H. Sennett, William A. Thomas and William H. Papin, Defendants

} Equity No 6569.

I, A. B. Hagner, Clerk of the Supreme Court of the District of Columbia, do hereby certify that in a certain cause pending in the Supreme Court of the District of Columbia, wherein John Van Rizwick was Complainant and William E. Spalding, William L. Spalding, James A. Spalding, Anna Spalding, Willie Spalding, George H. Sennett, William A. Thomas and William H. Papin were defendants a decree was rendered by said Court sitting in General Term on the twenty fourth day of October, A.D. 1881, in favor of the said defendants and against the said complainant; and that on the same day the said complainant-

prayed an appeal from said decree to the Supreme Court of the United States which was allowed, and a bond approved on the first day of November, A.D. 1881.

In testimony whereof I hereunto set my hand and affix the seal of said Court this twenty seventh day of October A.D. 1882.

(Seal.)

R. J. Meigs, Clerk
Supreme Court District of Columbia
By R. J. Meigs Jr. Asst. Clerk."

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal moved the Court in pursuance of the 9th rule, to have this appeal docketed and dismissed. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that this appeal from the Supreme Court of the District of Columbia be, and the same is hereby, docketed and dismissed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chief Justice Cole,

	Andrew Antoni	Mr. F. S. Blair,
215.	vs. Pff. in Error	of counsel for the
	Samuel C. Ussenbow,	defendant in error,
	Treasurer &c.	filed and sub-
		mitted to the

consideration of the Court a brief in opposition to the motion to advance this cause

---

	The National Steamship Co.	The argument
52.	vs. Pff. in Error.	of this cause
	Charles A. Tugman	was continued
		by Mr. F. J.
		Fithian, of

Counsel for the defendant in error, and concluded by Mr. A. G. Chetwood, of counsel for the plaintiff in error.

	The Equator Mining &	This cause was
	Smelting Company.	submitted to the
55.	vs. Pff. in Error.	consideration of
	George H. Hall et al	the Court on
		the record and

printed argument by Mr. N. M. Tillou of counsel for the plaintiff in error. No counsel appeared for the defendant in error.

56. The Standard Oil Co. vs. Plff in Error. / George H. Van Etten

The argument of this cause was commenced by Mr. Lewis Griffin, of counsel for the plaintiff in error, and continued by Mr. Harrison Gray and Mr. Walter H. Smith, of counsel for the defendant in error

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Proclamation being made the Court is adjourned until Monday next at twelve o'clock

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Monday, October 30th 1882

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford
} Associate Justices

John G. Nicolay, Esquire, Marshal.
James H. McKenney, Clerk.

Proclamation being made the Court is opened.

John D. Coughlin Administrator of Francis X. Dant, decd.	In error to the Supreme Court of the District of Columbia
Do vs.	
The District of Columbia	

This cause came on to be heard on the tran-

cript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter judgment affirming the judgment entered on the former verdict for the plaintiff nunc pro tunc as of the 18th of November 1876.

per Mr. Justice Gray.

(Mr Justice Field was not present at the argument and took no part in the decision of this cause)

John R. Moffitt vs. Appellant Samuel B. Rogers, Stephen Moore & Homer Rogers.	Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Woods.

The City of Ottawa
vs
William F. Cary

In Error to the Circuit Court of the United States for the Northern District of Illinois

691

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment upon the

special finding of facts for the City of Ottawa the defendant below.

per the Justice Harlan

Ex parte: In the matter of The Baltimore & Ohio Rail-road Company. Original. Petitioner,

Petition for a Rule of Mandamus.

On consideration of the petition for a writ of Mandamus, the return to the rule to show cause and of the argument of counsel thereupon had as well in support of as against the same, It is now here ordered by the Court that said petition be, and the same is hereby, denied.

per the Chief Justice Waite

Andrew Antoni vs. Plff. in Error
515. Samuel A. Greenhow, Treasurer, &c.

On consideration of the motion to advance this cause, It is ordered that said motion &c. and the same is hereby granted and the cause is assigned for argument on the

second Monday in January next.

per Mr. Chief Justice Waite.

102	Peter Schreiber vs. Appellant Walter B. Roberts in his own right and as Administrator &c.	On consideration of the motion to advance this cause, It is ordered that said motion be, and the same is hereby denied.

per Mr. Chief Justice Waite.

236.	The St. Anthony Falls Water Power Company vs. Plff. in Error Ashley S. Morrill, James N. Lovejoy, Eunice Farnham and Hannah A. Lovejoy	In Error to the Supreme Court of the State of Minnesota

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota and on the stipulation of the counsel for the respective parties on file, and on the motion of Mr. C. D. Parish on behalf of counsel. It is now here ordered and adjudged by this Court

that the writ of error in this cause be, and the same is hereby, dismissed, each party to pay their own costs in this Court.

(Sent Mr. Chief Justice Waite.)

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16. Vancissa Scruggs et al vs. The Memphis & Charleston Railroad Company & James A. Visor

Appellants

Mr. W. A. McKenney in behalf of counsel for the appellants, suggested the death of Vancissa Scruggs, one of the appellants in this cause, and moved the Court for leave to enter the appearance of E. R. Matthews, Executor of Vancissa Scruggs, deceased, as an appellant in this cause. Whereupon, It is ordered that E. R. Matthews, Executor of Vancissa Scruggs, deceased, as aforesaid, be, and he is hereby entered and made a party appellant in this cause.

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269. The Atlantic & Pacific Air Line Railway Company vs. The State of Georgia

Plff. in Error.

In Error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia and on the motion of Mr. William A. Maury, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

N. G. Brown
vs. Pltff. in Error
The State of Colorado

The motions to advance and to dismiss in this cause were submitted to the consideration of the Court on the record and printed arguments by Mr. S. H. Holt, in support of the same, and by Mr. Chas. Case and Mr. Jos. Brown, in opposition thereto.

John VanDeswick
vs. Appellant
William E. Spalding et al

Mr. T. A. Lambert moved the Court to rescind the order entered on the 24th instant docketing and dismissing this appeal and for leave to re-instate the cause

upon the docket, Whereupon, It is ordered that the order of the 25th instant docketing and dismissing this appeal be and the same is hereby rescinded and annulled; and that the appellant have leave to file the record and docket this cause in conformity with the rules of this Court upon payment of costs

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53 The Standard Oil Co. vs. Pfff. in Error. Thomas H. Van Etten. | The argument of this cause was commenced by Mr. Lewis H. Haseltine of counsel for the Plaintiff in Error

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55 The Steamship Kennebec vs. Appellants vs. Emanuel L. Quick et al. | The argument of this cause was commenced by Mr. C. P. Nash of counsel for the appellants, and continued by Mr. Eugene A. Lewis and Mr. A. W. Benedict of counsel for the appellees

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Ordered that the Court adjourn until tomorrow at twelve o'clock.

Tuesday October 31st 1854.

Pursuant to adjournment the Court met
today at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice
[illegible] Associate Justices
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

John L. Hickey, Esquire Marshal
James K. McKenney Clerk

Proclamation being made the Court
is opened

On motion first made to the Court in
this behalf by Wm. F. Black it is ordered
that James Woods, Esquire, of Geneseo,
State of New York, be admitted to practice
as an attorney and counsellor of this Court
and he was sworn accordingly.

Tuesday, October 21st 1851. continued

On motion ordered that Samuel Harmon, Esquire of the State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion ordered that Lewis F. Linton, Esquire of Lexington, State of Kentucky be admitted to practice as an attorney & counsellor of this Court and he was sworn accordingly

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Joseph D. Stewart
vs. Appellant
Hamilton J. Scott

The Attorney of counsel for the appellee, suggested the death of Joseph D. Stewart, the appellant in this cause, and moved the Court for leave to enter the appearance of William D. Stewart, Administrator of Joseph D. Stewart, dec'd as the appellant in this cause, and that the cause be passed with leave to submit

the same on printed arguments for Plaintiff in Error. It is ordered that William D. Howard, Administrator of Joseph P. Howard, deceased, as aforesaid, be, and he is hereby, ordered and made the party appellant in this cause. And it is further ordered that this cause be passed with leave to submit the same on printed arguments within ninety days from this date.

The Farmers' Loan & Trust Company (Limited) of London
vs.
Wm. H. Ellis in Error.
Elmer H. Parke vs. Same
vs. Same.

See Order in the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern district of New York, and on the motion of Mr. H. Nellis Phillips, on behalf of counsel for the plaintiff in error. It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

	The Commercial Mutual Insurance Company Limited of London	On motion of Mr. H. Daniel Phillipps, one of the counsel for the plaintiff in error leave is hereby granted the Clerk to issue the Mandate in this cause.
65.	vs.	
	Peter H. Patterson & Hiram K. Patterson	

	The Michigan Central Railroad Company	On motion of Mr. George F. Edmunds, of counsel for the plaintiff in error, [illegible]
23	vs.	
	Louis Allpicker for use, &c. The Commercial Mutual Ins. Com.	

and that the amendment heretofore made and stipulation of counsel hereupon filed in this cause be, and the same is hereby made a part of the record.

	The Planters' Insurance Co.	The argument of this cause was continued by Mr. J. M. Woolworth of counsel for the appellee and concluded by Mr. Robert Ritchie for the appellant.
51.	vs.	
	Sergeant J. Tucker et al.	

Thursday, October 31st 1852 adjourned

	Lewis B. Haskins	The argument of
	vs. Appellant	this cause was
59.	The St. Louis & Southeastern	commenced by
	Railroad Co. et al	Mr. Frank E.
		Williams, of

counsel for the appellant.

	Lewis S. Gaines	It appearing to
	vs. et al Appellants	the Court that the
49.	The St. Louis & Southeastern	record in this cause
	Railroad Co. et al	is defective, It is
		ordered that this

cause be passed without prejudice: And that a writ of certiorari be, and the same is hereby, awarded, to be issued forthwith, and to be directed to the Judges of the Circuit Court of the United States for the Middle District of Tennessee commanding them that searching the record and proceedings in this cause they certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found and return the same with the said writ forthwith to this Court

Per Mr. Chief Justice Taney

Thursday October 2nd 1873 continued

53.	Wm Phipps in Error vs The Western Railroad Co	This argument of this cause was commenced on the 1st Inst.

of counsel for the plaintiff in error, continued by Mr C. L. Merriman, of counsel for the defendant in error, and concluded by Mr John H. Hinsdale, of counsel for the plaintiff in error.

51	Isaac Robinson vs Wm Phipps in Error Edwin R Packard in Error	This cause was argued by Mr L. R. Packard, of counsel for the defendants in error, and submitted on printed argument by Mr. John Ray, of counsel for the plaintiff in error

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62.	John Shay vs Appellant. Amos Howe & Am Smith	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. H. Baskin, of counsel for the appellants, & by Mr. G. Shaw, of counsel for the appellee.

Tuesday October 3rd 72. continued

Henry Seymour King vs. Appellant Francis G. Cornell Admr. &c. et als.	This cause was submitted to the consideration of the Court on the record & printed arguments by Mr. W. McEwarts, Mr. C. J. Gutteridge & Mr. Jacob A. Cheate of counsel for the appellant, & by Mr. Samuel K. Wilson, of counsel for the appellees.
Theodore Clough vs. Appellant The Gilbert & Barker Manufacturing Co. and Theodore Clough vs. Appellant The Gilbert & Barker Manufg. Co. et al.	On motion of Mr. E. A. Dickinson, of counsel for the appellant, ordered that counsel on each side be allowed three hours in the argument of these cases.
Theodore Clough vs. Appellant The Gilbert & Barker Manufacturing Co.	The argument of these cases was commenced by Mr. Dickinson

Tuesday October 21st 1851 continued

And Theodore Clough vs. Appellant The Gilbert Du Becker Warrants &c et al	A discussion of counsel for the appellant

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Wednesday November 1st 1882

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice
Samuel F. Miller, Associate Justices
Stephen J. Field
David D. Davis
John M. Harlan
William B. Woods
Stanley Matthews
Horace Gray
Samuel Blatchford

John F. Nicolay, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Enoch Totten it is ordered that William Niles, Esquire of La Porte, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court me

this behalf by Mr. Joseph A. Wright it is ordered that James E. Franklin, Esquire of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was accordingly sworn.

	Samuel Emmons Kahn	Three causes
49.	vs. Piff in Error	were submitted
	Claud Hamilton & Jas.	to the consid-
	Elliott, Trustees &c.	eration of the
	And	Court on the
	Isaac Hecht	records and
50.	vs Piff in Error	printed argu-
	Claud Hamilton & Jas	ments by Mr
	Elliott, Trustees, &c.	J. R. McIntyre.
		& counsel in

the plaintiff's interest, and by Mr. J. A. Harris of counsel for the defendants in Error, pursuant to the Statute.

	Theodore Clough	The argument
63.	vs. Appellant.	of these causes
	Jas Gilbert & Barker Mfg &c.	was continued
	And	by Mr. Edward

Theodore Clough
vs. Appellant
Wm. Gilbert & Baker
Manfg. Co. et als

E. Dickerson, of counsel for the appellant, by Mr. William Gunning, of counsel for the appellees, and concluded by Mr. Edward A. Dickerson, of counsel for the appellant; and submitted on printed argument by Mr. R. H. Syer, of counsel for the appellant.

The Manhattan Medicine Co.
vs. Appellant
Nathan & John T. Hood.

Ordered by the Court that this cause be, and the same is hereby passed subject to previous of section 7, rule 46. on account of sickness of counsel.

Simon King et als
vs. Appellant
Edward Anthony et als

The argument of this cause was commenced by Mr. Albert A. Abbott, of Counsel for the appellants

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Proclamation being made the Court is adjourned

Thursday, December 5th 1850.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Hoar, Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Hoge
John McKinstry
William T. Wallace
Solomon Sanderson
Edward Norton
} Associate Justices

John A. Sutter Esquire Attorney
James A. McKenzie Esq Clerk

Proclamation being made the Court is opened

On motion first made to the Court in behalf by Mr. George F. Edmunds it is ordered that A. L. Rhodes, Esquire of San Francisco, State of California, be admitted to practice as an attorney and counsellor at this Court and he was sworn accordingly.

On motion first made to the Court in

This being by Mr. J. C. Thompson it is ordered that John McClanahan, Esquire, of Elkhart, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. The United States, Plaintiff, vs. James N. Button

No. The United States, Plaintiff, vs. James N. Button

No. The United States, Plaintiff, vs. Edwin P. Curtis

No. The United States, Plaintiff, vs. Jas. N. Button and Barton Bates

No. The United States, Plaintiff vs. Jas. N. Button and Barton Bates

No. The United States, Plaintiff vs. Jas. N. Button and Barton Bates

On motion of Mr. Assistant Attorney General Maury, It is ordered that so much of the order advancing these cases as assigns the same for argument on the first Monday in November, 1882, be, and the same is hereby vacated and set aside.

No. Simon King et al vs. Appellants
Edward Anthony et al

The argument of this cause was continued by Mr. Albert A. Abbott, of counsel for the appellants, and by Mr.

Thursday, November 2d 1852. continued

Edmund Nelson ... sworn for the respondent & ... concluded by Mr. Albert A. Abbott, of Counsel ... on the appointment of ...

Russell Abbott ... vs Eliza M. Nelson & Edmund L. Nelson	The respondent ... to the ... and ... by the ...

Evidence of Counsel for the petitioner ...

Seneca Cotton ... vs Eliza M. Nelson & Edmund L. Nelson	Discussion ... submitted to the ... by the Court ... and ...

... by Mr. A. Abbott for the ... Mr. ... for the respondent ... by Mr. John Kneeland, ... for the defendant in error, pursuant to ... 2d ult.

Decision being made the Court is ... until ... at ...

Tuesday, November 3d 1857

Pursuant to adjournment the Court met this day at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice
James D. Main
Stephen J. Field
Joseph P. Bradley
John M. Harlan
William B. Woods
Noah H. Swayne
Samuel F. Miller
Associate Justices

John F. Sheehan, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court and this day by Mr. Frank H. Howe it is ordered that Lewis H. Field jr. Esq. of Indianapolis, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

No. Young Indian Chief vs. Cliff in Error. Anton Schaller et al.

On motion of Mr. George F. Edmunds, of Counsel for the

plaintiff in error. Ordered that this cause be, and the same is hereby dismissed in the first Tuesday in December, 1880, at the cost of the said plaintiff in error.

Alfred Hilton et al
vs. Appellants.
S. K. Shandrain, U.S.
Deputy Surveyor.

Alfred Hilton et al
303 vs. Appellants
James L. Richardson
Exec. &c.
Ald.

Daniel McCann
537 vs. Appellant
The United States.

Mr. Solicitor General submitted to the consideration of the Court motions to dismiss the causes.

Jacob Kahn
110. vs. Appellant
Henry B. Kinnear
Ald.

Henry J. Wright
330. vs. Appellant.
Henry B. Kinnear Ald.

On motion of Wm. A. Richardson, of counsel for the appellees, and consent of counsel for the appellants, Ordered.

that $1330. be announced and award with 10 p%, and that one hour additional time be allowed on each side in the argument.

Carroll Arnesteal
vs. Pitts Scherer
Edward F. Quimby

The argument of this cause was continued by Mr L. D. Morris, of counsel for the defendant in error & concluded by Mr. W. F. Quimby, of counsel for the plaintiff in error

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Jean Hatin
vs. Appellant
Henry B. Kinsella
&
Henry Speight
vs. Appellant
Henry B. Kinsella

The argument of these causes was commenced by Mr. William Hiss, of counsel for the appellants, and continued by Mr. Joseph Chandler of counsel for the appellees.

On motion leave was granted the Court is adjourned until Monday next at twelve o'clock.

Monday, November 6th 1854.

Pursuant to adjournment the Court met
[illegible] the Superior

[illegible]

[illegible] Thomas [illegible] Grand Jurors
[illegible] Price
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
William L. Reeds
Samuel Matthews
Isaac Levy &c.
James Blatchford.

} Petit Jurors

John J. Nicolay, Esquire, Marshal.
James A. McKenney [illegible]

Proclamation being made the Court [illegible]

On motion [illegible] made to the Court on behalf by Wm. Assistant Attorney Samuel Mauny it is ordered that R. H. Montgomery Esqre. of Augusta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion [illegible] read to the Court [illegible]

this Court by the Supreme Court it is ordered that John P. Wilson Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The American Cotton Tie Co. claimant, James J. McComb, Administrator of Mary F. McComb, deceased, &c. James J. McComb, Edwin E. Johnson & Emerson Foote

vs. Appellants.

Simeon H. Simmons, C. H. Simmons & H. H. Simmons

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island and was argued by counsel. On consideration whereof, It is now considered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, reversed

with costs: And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter a decree for the plaintiffs in accordance with the 3rd claim of the Brooks patent, and claims four four and five of the Brodie reissued patent, and the claims of the McCourt patent, for an account of profits and damages, as prayed in the bill, and to take such further proceedings in the suit as may be in conformity with the opinion of this Court.

Mr. Justice Blatchford

John McDonough, late Collector of Internal Revenue.

vs. Appeal from the Circuit Court.

The New York Central & Hudson River Railroad Co.

In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by

this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York

per Mr. Justice Matthews

Dissentient

Mr. Justice Harlan

William Henry Jessup
John Jones & Wm Jones
and C. K. Jones.
vs.
The United States

In Error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs per Mr. Justice Harlan

Monday December 16th 1850

The Indiana Steamship Company	In Error to the Supreme Court of the State of New York
vs.	
Richard N. Swanton.	

This cause came on to be heard on the transcript of the record upon the Supreme Court of the State of New York, & was passed & was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Court of Appeals & Supreme Court, in this cause, be and the same is hereby reversed with costs & this Court doth further order & decree that this cause be & the same is hereby remanded to the Supreme Court of the State of New York with instructions to accept the bond tendered by the plaintiff in error for the removal of the cause to the Circuit Court of the United States for the Eastern District of that State & proceed in further in the cause.

per Mr. Justice Nelson

Wednesday, November 6th 1850. continued

The Sub-pendent from the District of Steamboat Rock, Hardin County, Iowa. vs. Plaintiff in Error. Jesse Stone

In Error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment upon the verdict for the Plaintiff, the defendant not being.

Per Mr. Justice Wayne.

William H. Reynolds, William A. Taylor
& Francis H. Reynolds, composing the firm
of Reynolds & Co., John P. Knight, Ezra
Sage, Edward E. Sage & Joseph Sage,
Samuel S. Knight & Robert Knight as B. B. & R. Knight, & Charles H. Sprague

vs.

Cornelius Vanderbilt, Samuel Vanderbilt,
William K. Vanderbilt & Cornelius Vanderbilt,
Executors of Cornelius Vanderbilt, deceased,
Claimants of the Steamship North Star, their
tackle &c.

And

William K. Vanderbilt, Cornelius Vanderbilt,
William K. Vanderbilt, & Samuel S. Barlow,
Executors of Cornelius Vanderbilt deceased,
Claimants of the Steamship North Star her tackle &c.

vs.

William H. Reynolds, William A. Taylor
& Francis H. Reynolds, composing the firm
of Reynolds & Co., John P. Knight, Ezra
Sage, Edward E. Sage & Joseph Sage,
Samuel S. Knight & Robert Knight as B. B. & R. Knight, & Charles H. Sprague

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of New York, on appeal and cross appeal, and was argued by Counsel. On consideration whereof, It is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with interest until paid, at the same rate per annum that decrees bear in the Courts of the State of New York. It is further ordered that each appellant pay the costs of their appeal in this Court, and that the cross appellee, and the same is hereby, remanded to the said Circuit Court for such further proceedings as may be in accordance with law.

per Mr. Justice Bradley

John A. Isham, James Cornelius A. Hamilton, John Laird and Alfred Mouthie, Claimants of the Steamer New Orleans, her tackle &c.	Appeal from the Circuit Court of the United States for the Southern District of New York.
vs.	
John S. Hone, James K. Forde, John Kennaston, Alex. Hone, James Bliss, Luther A. Rose et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause, be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that decrees bear in the Courts of the State of New York

per Mr. Justice Grier

George W. Baylis, individually and as Executor of W. Baylis, deceased
vs. Plff. in Error
The Washington & Lee University

In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs and interest, on the paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

for Mr Justice Wayne

Chs Lindsey
vs. Appellant
George A. Ames

Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard

on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice

Rufus Hopkins
vs. Plff. in Error.
Mrs. Elizabeth D. Hays, Natural Tutrix of her minor children John Hays, Lucy Hays, Kate Hays and Minerva Hays.

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause, be

the cause is hereby affirmed with costs.
And that this cause be, and the same is
hereby remanded to the Circuit Court of
the United States for the Eastern District
of Louisiana.

per Mr. Chief Justice Waite.

The Ship Sterling, &c. et al.
Samuel Seward et al. owners &c. The
Steamboat Equator, &c. et al.
Hannagan et al
vs. Appellants.
P. McPherson et al.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be, and the same is hereby reversed; And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the

Eastern District of Louisiana with direct ions to enter a new decree in conformity with the opinion of this Court - adding interest to the date of such entry — Each party paying their own costs in this Court

per Mr. Chief Justice Waite.

C. D. Adams. Trustee &c & C. Adams Assignee in bankruptcy of N. J. Weaver a bankrupt, Sob. vs. Appellants. Thomas J. Willenden & Christian Weaver	Appeal from the Circuit Court, for the Northern District of Alabama

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Alabama, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged & decreed by this Court, that this appeal be, and the same is hereby, dismissed for the want of jurisdiction

per Mr. Chief Justice Waite.

George Heath & Ann Heath
vs. Appellants
The New England Mortgage
Security Company

Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the appeal herein and the same is hereby dismissed for the want of jurisdiction.

Mr. Chief Justice Waite.

Louis K. Kincaid
vs. Appellant
The Chicago Pacific & Western
Railroad Company et al.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr. P. Phillips.

of counsel for the appellant and appellee
[illegible] It is now here ordered and
and decreed by this Court that the appeal in
and the same is hereby dismissed with costs
[illegible] and that the mandate issue

from this Court.

Levi H. Campbell appellant. vs. The Chicago & Alton Railroad Company appellee	The motion of Mr. P. Phillips of counsel for the appellant, leave is hereby

granted the Clerk to issue the Mandate
in this cause.

The County of Jefferson vs. Appellant. The Southern Pacific Railroad Company.	Mr. Chief Justice of counsel for the plaintiff in error, files an submits to the consideration

of the Court motion to advance this cause.

Benjamin L. Jacksonville vs. Appellants. William Flickner.	The death of Mr. Justice Mr. appellee.

1850

[illegible]

Decree Rendered at Same Term.

I, William H. Bradley, Clerk of the Court aforesaid, [illegible] do hereby certify that on the above styled cause the Bill of Complaint was filed in the office of the Clerk aforesaid on the 6th day of February A.D. 1850 the cause was ordered to stand on the docket of said Court, A.D. 1852, from which docket said defendant prayed an appeal which was duly allowed upon his giving an appeal Bond, which said Appeal Bond was approved and filed in the office aforesaid A.D. 1852, as said Court, as appears upon the Files of Records of said Court now remaining in my custody and control.

I have hereunto set my hand and affixed the Seal of said Court at

{Seal}

Monday, December 6th 1852. ordered

mandate to Chicago in such a case
this Thirty first day of October AD 1852

Wm. F. Gardner
Clerk

and immediately that the appellant and
appellee have leave to file the record of said
cause in this Court or in case no to prosecute
said appeal and the Court in pursuance
of the agreement of the parties doth order
adjudge and decree that this appeal be dismissed
at the cost of the appellant and it is
further ordered, adjudged and decreed by
this Court that this appeal from the Circuit
Court of the United States for the Northern
District of Illinois be and the same is hereby
declared and dismissed with costs;
that the mandate be and the same is
hereby ordered to the said Circuit
Court to be proceeded in according to
law and justice.

per Wm. Chief Justice Waite

Josiah G. Graves
vs. Appellant
Thomas Otis and
Jas. N. Matteson, Trustees

Appeal from the
Circuit Court of the
United States for the North-
ern District of Illinois

Monday December 6th 1869 Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Texas and on the motion of Mr. Samuel B. Simpson of counsel for the appellant, It is ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs:

per Mr. Justice Swayne

Texas Central R.R. Co. Appellant
vs
Samuel B. Kountze et al

Henry S. McKee Appellant
vs
Samuel B. Kountze et al

All arguments of this cause were continued to Mr. Joseph A. Stanton and Mr. A. J. Rogers of counsel for the appellees, and to Mr. J. M. Carlisle of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock

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Tuesday December 9th 1851

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Thomson R. Mathis, Chief Justice

James H. Miller
Stephen A. Hall
Joseph P. Hadley
John W. Keaton
William B. Woods
James Matheny
Horace Grant
Samuel Blackwell

} Associate Justices

John D. Barclay, Esquire, Marshal
James A. McKenney, Clerk

Proclamation being made the Court adjourned

On motion first made to the Court in this behalf by Mr. Jeff Chandler it is ordered that Mr. Millard, Esquire, of East Saint Louis, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Tuesday November 9th 1852 continued

[illegible]	[illegible]
vs	vs
Amos J. Semmes	[illegible]
Ux	[illegible]
[illegible]	[illegible]
vs.	vs. Upshaw.
Amos J. Semmes	[illegible]

during the argument of this cause

Jas. A. M. Cracken	This cause was
vs. Pitts in Error	argued by
William Mc. Coy	R. McAnspeed
	Esquire for

Plaintiff in error and submitted on printed arguments for Plaintiff in error, & counsel for the Plaintiffs in error, and by Mr [illegible] Esq. of counsel for the defendant in error

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Alexander Brasher et al	This cause was
vs. Pitts in Error	argued by Mr
William Jamison et al	R. McAnspeed
	Esquire for

the plaintiffs in error, & Lear Esquire counsel for the defendant in error. to be filed and entered

Supreme Court of the United States

Thursday next

The City of Detroit vs. Oliver Leland Thompson Dean et al.	This cause was argued by Mr. H. M. Duffield, of counsel for the appellant, and by Mr. E. A. Dickerson, and Mr. Theron Dickerson Curtis, of counsel for the appellee.

The United States vs. Clifton Ewer Frederick Bonicke- Emanuel &c.	This cause was submitted to the consideration of the Court on the motion of the United States, argued by Mr. Solicitor General Phelps of counsel for the plaintiff in error, and by Mr. Edward Salomon, of counsel for the defendant in error.

The Town of Thompson vs. Clifton Ewer. Frederick Bonicke	Ordered by the Court that these cases be, and the same are

475.

Wa

Tuesday, December 24th 1839. Continued

The Court of Sessions
vs. Richardson
Criminal Process

Ordered on
the Docket for
hearing and
and the same

Louis B. Warner
vs. Offshaw
& Norwood Mortgage

is hereby passed over for the term.

The United States, Plaintiffs vs. Thomas Jeffery
The United States Petition vs. Victoria Ayers
The United States, Plaintiffs vs James Nevins
The United States Plaintiffs vs D.S. Norris & al
The United States Plaintiffs vs James & James
The United States Plaintiff vs James Bannister

Pleas were entered to the indictment & the
Counsel on both sides made printed arguments by Hon.
Solicitor General Phillips, of Counsel for the Plaintiffs
& Counsel appearing for the defendants.

Proclamation being made the Court is ad-
journed until tomorrow at ten o'clock

Present to superintend the Court and
Minutes the Register

The Honorable Morrison R. Waite, Chief Justice
James S. Gillett
John J. Gant
Joseph R. Bradley
William B. Woods
Aaron Mathews
Horace Gray Jr.
Samuel Hatchford
} Associate Justices

John D. Lawson, Esquire, Marshal
James H. McKenney, Clerk

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr. John S. Penn it is ordered that Richard O. Daniels Esquire of New York City be admitted to practice as an attorney and counsellor at this Court and he was accordingly

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On motion first made to the Court on

Wednesday, December [illegible]

this behalf by Mr. Lewis B. Simpson it is ordered that Mr. L. Cranmer, be admitted to practice this Court of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The United States vs. Pinckney Lewis Hamilton	Ordered that the Court this [illegible] [illegible] [illegible] [illegible]

passed for the present.

Louis A. Martin vs. Appellant. Harrison Harwood	Mr. Henry Hart Garnett, on behalf of [illegible] appellant, [illegible]

the death of Harrison Harwood, one of the appellees in this cause, and moved the Court for an order under the 15th Rule to make the proper representatives parties. Whereupon, it is now here ordered by the Court that unless the proper representatives of the said Harrison Harwood, deceased, as aforesaid, shall voluntarily become parties within the first two days of the ensuing term of this Court, the appellant shall

entitled to open the record, and on hearing
both the same reversed, if it be erroneous—
Provided, that a copy of this order shall be
printed in some newspaper at the seat of
Government, of general circulation, for three
successive weeks, at least sixty days before
the beginning of the term at which such
bond and security

Mr. Chief Justice Waite

George H Whitehurst
vs. Appellants
The Cincinnati Covington
and Southwestern Railway Company et al.

Ordered by the Court that this cause be and the same is hereby passed for the present

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Edward J. Mason
vs. Appellant
The Northwestern Mutual Life Insurance Company.

This cause was argued by Mr. Thos. Hoyne, of Counsel for the appellee, and submitted on printed

Wednesday, December 8th 1852. continued

arguments by Mr. C. J. Mason of counsel for the appellant

George C. Cunningham
vs. Appellant.
The Macon & Brunswick Railroad Company et al.

Ordered by the Court that the cause be and is

same is hereby passed.

Defendants having waived the Court is adjourned until tomorrow at ten o'clock

Thursday December 9th 1875

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice
	Samuel F. Miller	Associate Justices
	Stephen J. Field	
	Joseph P. Bradley	
	William A. Woods	
	Stanley Matthews	
	Horace Gray	
	Samuel Blatchford	

John L. Cochran, Esquire, Marshal

James H. McKenney, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Waite Esquire it is ordered that Frederic H. Stevens Esquire of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court — and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. S. Lawton it is ordered that Charles C. Jones, Junior, Esquire of Augusta, State of Georgia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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John M. Bailey, late Collector of Internal Revenue vs. Piff in Error. The New York Central & Hudson River R.R. Co.

On motion of Mr. H. Wheaton of counsel for the defendant in error, leave is hereby granted the Clerk to issue the Mandate in this cause.

The United States vs. Plaintiff E. J. Gale & H. S. Gibson

This cause was argued by Mr. Solicitor General Phillips of counsel for the plaintiff. No counsel appearing for the defendants

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Alexander Brasear et al vs. Piff in Error William Jennison et al

This cause was argued by Mr. Mc

Jameson of counsel for the defendants in error, pursuant to leave granted on the 4th instant.

Henry H. Huhlenberger et al. Appellants.
vs.
The Logansport, Crawfordsville & Southwestern Railway Co. et al. Appellees.

This cause was commenced by Mr. C. Mc Osborn, of counsel for the appellants, and continued by Mr. John L. Williams & Mr. Benjamin Harrison, of counsel for the appellees.

Proclamation being made, the Court is adjourned until tomorrow at ten o'clock.

Circuit Court for the County of Wayne

In Chancery

Samuel Alexander et al

vs

Joseph Warren et al

Bill of Complaint

Solicitors for Complainants

James R. McKinney, Esq.

Proclamation being made the Court opened

On motion just made to the Court in behalf of Wm. C. McClintock it is ordered that Henry Wm. Champlain of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court in future proceedings

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On motion just made to the Court in behalf of Wm. Assistant Attorney General

ordered that Robert E. Jelliett Esquire, of Detroit, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	The Grand City Co.	Pacific R.R. Co.	Mr. Solicitor
2.		vs. Pltff. in Error.	General
	The United States		Phillips
	The Houston Co.	Texas Central R.R. Co.	filed and
30.		vs. Pltff. in Error	submitted
	The United States.		to the consid-
		Ord.	eration of this
	Louis F. Noelke, Collector &c.		Court his
	vs.	Appellant.	brief to
	The Benedict Co. Lumber		advance their
	Manufacturing Company.		cause.

	George H. Weitzengerent al.		The argument
60.	vs.	Appellants	of this cause
	The Logansport, Crawfordsville		was concluded
	& Southwestern Railway Co.		by Mr. C.
			M. Osborn

of counsel for the appellants.

Supreme Court

Joseph Cunningham
vs. appellant
The Union Bank of Maryland
Defendant Appellee

The appeal
of the Defendant
from the decree
of the Court of
Chancery in
the above case
was docketed in

the appellate Court of Maryland, & the cause was argued by counsel

Thomas Brandt et al
vs. appellants
Morris K. Jesup, Surviving
Trustee et al.

Submitted on
the argument
of H. H. Goldsborough
& Brune for
the appellants
and by Mr. H. S. Grinshaw for the appellee.

Submitted on the Transcript of Record & argument of counsel

Submitted on the argument of counsel

It being the day appointed by law the Court met today at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
William B. Woods
Stanley Matthews
Horace Gray Jr
Samuel Blatchford } Associate Justices

John F. Wrenn Esquire Marshal
James H. McKenney Clerk

Proclamation being made the Court is opened

On motion first made to the Court on this behalf by Mr. R. T. Merrick it is ordered that John N. Barnes, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and Counsellor at this Court and he was sworn accordingly.

Monday, November 13th 1871 continued.

Chas H. Ames, Andrew L. Ames & Oliver Ames, Surviving partners of the late firm of Chas Ames and Oliver Ames, carrying on business under the firm name of Oliver Ames & Sons.

vs.

Effingham Lawrence.

Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

per Mr. Justice Bradley.

Silas Seymour, Silas M. Seymour and Lester L. Seymour, Executors of S. Seymour & Company

vs. U.S. Error to Error.

Mr. Solicitor General for the plaintiffs in Error.

Mr. Richard Rumsey for the defendants in Error.

Error to the Circuit Court of the United States for the Eastern District of North Carolina

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern district of North Carolina, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to set aside the verdict and order a new trial.

per Mr. Justice Field.

Eliza H. Pollard, Executrix of Edward Pollard, deceased

vs. U.S. Writ of Error.

Ex parte

Error to the Circuit Court of the United States for the

Monday, December 3rd 1860

District of Connecticut

The Court came
to be heard upon the Libel of Libel and
Petition of the District Attorney of the United
States for the District of Connecticut
praying the condemnation and forfeiture of
the Schooner Mary Ann her tackle apparel and
furniture and the cargo on board of the said
Schooner and it appearing to the Court
that the proceedings in the said Cause
have been regular according to the course
of Admiralty and Maritime Courts and
that due notice has been given of the
time and place of hearing the said Libel
and the same is duly returned to this
Court and the Court having heard the
parties Libellant and Claimant by their
respective Proctors and Advocates

James Dunning Esquire
District Attorney
Counsel
for the Libellant

Stephen Mix Mitchell
Esquire and Thomas
Anthony Esquire Counsel
for the Claimant

Upon the
Libel Exhibited
by the District
Attorney of the
United States
for the District
of Connecticut
against the
Schooner Mary Ann

The Court pronounced the following decree

Transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Curiam Justice Woods

Thomas G. Bedford & John R. Bedford vs. Appellants. G. H. Burtis	Appeal from the Circuit Court of the United States for the Middle District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by Counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with

Circuit Court of the United States

Test

for the District of

The Equitable Mutual
Insurance Company
vs. Writ of Error
George H Ball and
Charles A Wainwright

In Error to the
Circuit Court
of the United
States for the
District of
Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial

per Mr. Justice Wayne

Moses Federman
vs. Writ of Error
Stephen D Packard, Michael
Seaman & William R. Fosdick

In Error to the
Circuit Court
of the United
States for

District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, It appearing to the Court that this writ of error has been improvidently sued out, one of the parties to the suit not being found [illegible] and no service having been had, It is now here ordered and adjudged by this Court that this writ of error be and the same is hereby dismissed with costs. And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Eastern District of Louisiana.

per Mr. Chief Justice Taney

John Dew
v. } Appeal from
Amos Nourse } the Supreme
Anne Smith. } Court of the
Territory of
Wisk

Alexandria, December 13th 1802

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel on consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs

for the Chief Justice

Jane Hoe
vs
Alexander Grant
Daniel Hamilton
Commonly called
Lord Daniel Hamilton
and John Hoe
Executors of the last and
second testamentary deed
Doctor of Dr Hamilton
deceased

In Error to
the Supreme
Court of the
District of
Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and

argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court, that the writ of error in this cause be, and the same is hereby, dismissed with costs, on the authority of the decision of this Court in the cases of Hecht vs. Boughton, No 912, October Term 1881.

Per Mr. Chief Justice Waite.

	Samuel Kain and Edmund Kain Co-partners under the name & style of Kain Brothers	In Error to the Supreme Court of the Territory of Utah.
vs.	vs.	
	Alexander Hamilton, Commonly called Lord Alexander Hamilton, John Ballou, Trustees of the first & second Mortgage Bondholders of the Mammoth Copper Mines of Utah & Montana	

This cause came on to be heard on the transcript of the record from the Supreme

On consideration whereof, It is now here ordered, adjudged and decreed by this Court that this appeal so far as the same relates to Charles F. Webb, B. F. Dennison, James Rouch, Maurice Linsley, John Hoover, Richard Oliver, John Watson, John Lyons, Edward Keenan, H. L. Jewell, Pat Norris, Thomas Mahoney, Pat Fitzpatrick, J. Webb, Pat Finnan, George Abbott, James Nolan, J. A. Davis, Pat. Stacks, Jno Romaine, Daniel Spellman, Pat Lahey, J. Webb, John Doyle, H. Mullins, Michael Finnan, Pat. Conner, Richard Quinn, J. Mc. Stearns, Luke Norris, Thomas Flinn, David Stevenson, Michael Carlon, E. L. Pettibone, Pat Nihes, A. J. Humphrey, Ord, A. J. Humphrey, partners as A. J. Humphrey & Co, Jno Michael Etc. ——— Brindley & Stout, partners as Brindley & Co Stout, J. Keenan, John Michael, Charles Inns, John Mickens, W. Dan Coal Coal Company, Daniel Keenan, James Naughton, M. Kruger, Martin Sheridan, John Dale, John Mullins, Lawrence Gallagher, Michael Ryan, R. C. Cormick, Alonzo Kazer, C. G. Reed,

Neal, Cole, A. Cunningham, James Duncan,
Charles Dunlap, James Gordon, John S. Greer,
Pat. Larkin, Saint Meschambers, W.C. Grant,
Charles Mitchell, J.C. Briggs, M. Dibus,
J. B. Jones, M. A. Jones, Ed. J. Gordon
Thomas M. Losey, John Meinke, R.M. Cull,
Jacob Ludwig, J. P. Blue, John Livingston,
Chuck Fitzpatrick, Saint Reynolds, Ed-
ward King, H.E. Hill, J.J. Rittenhouse,
Jno Neal, C.W. Evans, Thos. H. Wood,
Chas Epstein, E. Kaiserstadt, Pat Fitz-
gerald, John Cain, James Saddler,
Charles G. Johns, B. Nutchinson, C.O.
Jones, N.E. Rowe, Daniel Higgins, S.H.
Davis, John J. Cibell, J. Jacobs, Caleb
N. Ellis, James Boyle — Johnson
and — Neal, partners as Johnson and
Neal, John S. Duncan, Neal Dugan,
John Gr. Conard-Miller, John H. Gor-
don Griffin, Henry Selmon, Frederick
Ashmeyer and Wm Applegate, part-
ners as Fredk. Ashmeyer & Co., David
Jones, David & Neal E. M. Hunter,
Henry Freedman, P. Keefe, Dennis
Mack, Elizabeth Keefe, Jno Arthur

Fosman & partners as Meyerhauser and Fosman. Lincoln Coal Mining Company. Fosman & Dickerson & Dickerson & Eagleton, James L. Nibbin, Robert F. Kennedy, Coleman & Pattison and Franklin Lauden, partners as Nibbin Kennedy & Co, David Berkley, M.E. Frazer, James Fosters — Cassidy — Fosman, partners as Fosman & Fosman, Thomas Cassidy, William Smith, John P. Evans, Thomas Van Le Fosman, Peter Sullivan, Alexander Mc. Robertson & Co. John C. Rose, partners as Robertson & Co. Rose, Charles J. Schmidt, Robert Pagan, Hutchinson Graves, K.A. Hutchelands, W.S. Parsley, Matthew Fosman, Jacob Bush, J.O. D. Lilly, J. Mc Fosman, K.P. Seymour, Alex R. Angle, W. Swan, M.A. Stowell, Nibbin Baden, Monroe Hill & Co. Benton, Fred Pagan, F. Fosman and — Fosman partners as F. Fosman & Co. F. Fosman & — Fosman partners as F. Fosman & Co. Mary Welch, Jacob L. Nibbin & Co. James L. Swale, partners as Nibbin & Co. Fosman,

Jacob Mayer. Henry Gorham & William
H. Sullivan. C. B. Canary. Jacob Mayer
J. B. Cordes. Adam Swarts & Wm.
Dolan Rosenwald & Wilson Lewis
Builders as C. Wm H. Lewis: — Allen &
— Allen partners as Allen & Porter Sash
Machine Works. J. E. Spaulding William
F. Edwards. J. L. Canary Thomas Dolan.
J. Huddleson Patrick Dickson. H. Bland.
John Inlow. J. M. McClellan. Diamond
Richardson Manufacturing Company
James Hall. John Reedy. O. P. McCarthy
J. N. Wilson. H. F. Purdy. H. Rinehart. John
H. Brown. P. F. White. J. M. Goltz. H. Black.
Channey Nelson. C. C. Chamberlain
Fred Stricker. J. J. Ford. William
Van Schoick. William D. Wells. Ward
H. Coffin, and Charles R. Smith partners
as Wells, Coffin & Smith: Peter
Thomas Burke. J. H. Carney Administra-
tor of estate of J. G. Yonger. W. Glover
N. C. Prugh. John Henderson. Charles
H. Cady. Thomas Burke. Peter Gal-
lagher. Thomas Yount. H. H. Dickerson.
John Roach. J. J. Tilly. Erhardt Kinne.

Robert Parker, John Poland, Lewis Rose, L. Black, Lyman Lewis, Mary Ann Lewis Company, William Fin, John L. McKeever & Wife, J. C. Wood, Richard Brewer, & Wife, Henderson, Francis L. Robinson, Chas. D. Webster, Benjamin M. Davis and James M. Davis, partners as Webster, Davis and Company, Geo. H. Tindall, John Rivers, U.S. Ellis, James Rivers, Administrator of estate of N. Rivers; William Glover, Norman Glover, Andrew Olson, Geo. Ambrose, H. K. Neville, James Braddock, William Preston, John Healy, Fred Gerkens, Gust. Meyer, H. Ryrd, John Lindust, Thomas Richmond, H. Brown, Henry Chester, Charles E. Mott, L. N. Roach, Michael Regan, H. B. Cave, John Hanlon, John H. Lindsay, Reuben McIntyre, C. Sadgen, John Reynolds, Frank Bailey, C. Thomas, Isaac Lowell, David McEwen, Erskine, Geo. Gunt, George Cunningham, John Malone, Robert Davidson, Jr. Feeney, Simon Pollard, & Pollard, Hiram Tilney & H. Bruce, Geo. Blue, John Hill, Richard Boyle, Geo. Parker,

William Wade, George Cummings, Joseph
Beaumont, Isaac Sellers & Sons, Joseph
Johnson, Adolph Mayer, Thomas P. Lewis,
Lloyd Lyons, Daniel Anderson, William
Holmes, Thomas F. Cunningham, Isaac
Lee, James McWilliams, J. H. Simmons,
William Boyle, George Keyser, Isaac
Thomas, Dr. F. Clarke, Adolph Aron,
Ed. Duncan, James Lee, C. Ness, H. &
Pentlow, John Norman, Jr. Miller, Wil-
liam F. Sullivan, Pat. Murphy, Henry
Leadley, J. B. White, Louis Krieger, Jun.
Laird, Charles Krieger, Frank Durkin,
John Wahl, George Yanos, J. A.
Charles Lee, Jas. F. Johnson, Simeon
Lewis, Patrick Egan, Henry Stewart,
Thomas Nolan, E. E. Phillips, Joseph
Earle and — Royer, partners as Par-
and Royer, James C. Long, Francis
Jaques, Samuel Epstein, J. Cunningham,
William A. Wilkinson, Herman Meyer,
M. D. Bush, C. K. Shuck, P. M. Smith, A.
Johnson, C. W. Shuck, J. M. Shuck, G. G. Web-
ber — Sallisaw and William H. Parker,
partners as Wallesler and Parker

Thomas Ryan, Edward French, Joseph Kline, Lucas Cosby, A. Cunningham and Co. A. S. Sayer, J. F. Shaw, Nancy Fox, A. Lucke, Stephen A. Miller, John Hillman, A. Lowman, Jo. Sayer, S. H. Lindsay for Sayer, Henry Covière and William N. Ives partners as Coburn and Ives, Ely Coit Company for C. Morris, Jewett Ives, Ives & Ives, Allen Coleman, A. J. Allen, Chris. Schiller, Thomas J. Scott, Charles Edgerton, Edward Thomas Shea, James F. Coburn, Pat. Hughes, Michael Ives, John Kestner, Abram Van Zant, Milton R. Miller, Charles Sayer, William Bellerk, John Sayer, Morris R. Eddy, and Charles M. West partners as Eddy and West, H. B. Todd, S. J. Ford, R. F. Austin, S. A. M. Reynolds, N. Sayer, James Hawkins, F. H. Phipps, Nicholas Motherway, Oscar Lewis, A. J. Newman, Ed. Higgins, Thos. Ives, H. B. Walton, Michael Gray, Chas. Ives, James Shea, Frank Simons, A. Newman, James McLaughlin, Thomas Curran, M. Conroy Jr. H. K. Owens,

Thomas Murphy, Wm. Murphy, Jno. Barrett, James Ryan, John G. White, J. E. Walls, C.H. Foster, C.H. Foster, J. Clegg Jr. and J.A. Clegg Jr. partners as J.A. Clegg & Co., Cabinet Makers Union, William H. Pastreaux, John F. Yates, Mrs. C. Jones, Pat Mundy, J. E. Walls, Valentine Mauer, H.F. Rupp, John Flemming, John Cullen, John Dowling, Charles Cox, John Condon, Wm. Conaty, Geo. H. Graham and ___ Graham, partners as Graham Brothers, Pat Mackem, M. Cordle, H. Klein, E. S. Alexander, R.F. Hill, Con. Cronin, John Condon, Thomas Costello, John Burns, Thomas Burns, Charles Bader, John K. Bowlby, S.T. Bell, E.S. Alexander, P. Gallagher, M. Galvin, Joseph Kirkman, Wm. Harris, Joseph Harris, Hunter Hockenbay, S.P. Avery, R.F. Hill, A.C. Hilliard, H. Jagar, H. Jagar, F. Kupfer, W.M. Lincoln, Wm. Dwyer, T. Hamlin, John Fitzgerald, John Kelly, Jas Kelly, Pat Ward, James Donahue, John Dowling, J.A. Sims, C.A. Sims, James Barnes, William Donahue, Pat Dunn,

M. Murphy, P. Mulvihill, Walter Martin, J. J. Meehan, Thomas Reed, Jno. Ward, Louis McManus, Pat. McGuire, Pat. Murphy, Jno. Lucas, Michael Gallagher & Crowley, partners as Michael Gallagher & Crowley; Joseph Eagan, John S. Sisler, W. J. Crowther, David S. Benson, Silas Root, & David S. Benson, Thomas Leggett, George E. Wilson, and James H. Smith partners as Leggett and Co., F. H. Briggs, Lewis P. Whitney and E. Johnson, partners as Whitney & Co.; John Reed, Peter Gow, J. R. Gow, W. H. Gow, J. L. Thompson, Richard H. Buckley and Theodore Buckley partners as Buckley Brothers; A. J. Foley, Henry Badine; George Shaw and Patrick A. Ward, partners as Shaw and Ward; A. Koslanzer, Jno. Sheehan, J. H. Thompson, Christian Hahneman, William H. Fletcher, Jas. Conover, M. E. Snow, William Warren, A. H. Alexander, John K. Jones & P. Jordan, Louis Hagner, E. N. Hancock & Parmelee, Alexander Spence, Joseph E. Hunt, John H. Somers, E. F. Cummings, Jno. Sheehan, Pat Fleck, Cornelius

Monday, November 13th 1865

Griffin, John Morgan, Enoch Hall
John H. Buck, & William A. Carter
partners as Buck & Carter, Wm. Hall
and J. H. Brooks, partners as Hall
Brooks, Eliza Carter, Nathan
Sager, Benj. Starr, Robert E. Starr
and Jonas P. Johnson, partners as Starr
and Johnson, Saint Lewis, Jacob H. Saut
man, J. W. Brown, J. H. Sinnes, George
Bunn, T. J. Hedges and Wm. Hedges
partners as T. J. & W. Hedges, Wm.
Bunn, Eli Keough, Lewis Carter,
John Starr, Ira Atwell, James Rosier,
Con Buckley, C. Russell, Wm. Jar-
vis, Keough & J. W. Sinnes, Frank Young,
Charles Finley, Lewis Lewis, A.
Stillwell, Jos. H. Barton, J. W. Brown,
John Silvis, Henry Martinez, J. H.
Davidson, James Dillon, Lewis
Dalton, R. F. Hall, Ira Standard,
J. W. Eyler, Anthony Furlong, H. K.
Dailey, John Kelly, Anthony Furlong
John Kelly, Hiram Carter, W. E. Nicholas,
Bridget Hogan, James Nicholas, S. M.
Parks, W. L. Coleman, H. D. Bailey,

A. F. Humphreys, J. Hickisson, Michael Canahan, Nathan F. Long, Truman, Smith — Loomis, Silas H. Dewse, Charles F. Raines, Lawrence J. Coleman and Frank C. Eaton, partners as Coleman, Smart and Co., Hickman and Co., Lewis Raines, partners as Lewis and Raines; L. Ludorf, Eli Meiser, — Koops and — Townsend, partners as Koops and Townsend; James Dexter, John Malone, John Keenan, Michael Mahoney, John Sullivan, Pat Casey, John Keefe, William Kates, August Lucas Jr. — Lucas, partners as Lucas Brothers; J. K. Kelly; — Neiman and Charles Kumser, partners as Neiman & Kumser; J. J. Siegel, Pierce, Barnes, Henry Meyer & P. Cummings; W. Quinn and J. White, partners as W. Quinn & Son; J. H. Besack, F. Simpson, C. M. Nelson, [illegible] A. L. Robinson; — Oberly and Pickerell, partners as Oberly and Ensley; J. Rees & Co., Henry Rees, partners as J. W. Rees; H. J. Sweet, Ike Hayes and John Hayes and — Koenig, partners as Hayes, Koenig & Co.; George J. Hobbs; August

Monday, November 13th 1852

Lucas and — Lucas, partners as Lucas and Father; William Lucas and Lucas partners as Lucas Brothers; William Hamm & Michael, Jas Lamb, Thomas Kelly, Francis Mahoney, Wm Mc Jas H. Franks, R. Knapp, R. Palmer, S. Timmons, Pat Whelan, Charles B. Reed, Edwin H. Reed, George Allen, Pat Lynch, — Shipper and Henry Black, partners as Shipper and Black; S. Solomon — M. Solomon partners as S & M. Solomon; S. Hirsch, John Monk, E. J. McEwan, P. Sweeney, Jas O'Connell, Grant McCarty, A. Thompson, Thomas Moran, Cornelius Prendergast, Mc. Ewen, John H. Lewis, John E. Knox, Abram Cains, Pat McKenna, Samuel Simons, William Shultz, Charles Soderwasser, H. B. Stewart, Walter Vaughan, J. H. Smith, E. Sellers, Pat Ruddell, Pat Ruddell, John Clark, J. F. Robinson, Barney Sheehan, William O Shaughnessy — Swanwick partners as Swanwick & Shaw; Van Bergen, John Rosenbaugh; — Hayward and — Hosier, partners as Hayward Wheeler & Co. United States Mail Company

Pump Company, Crescent Spring Company, C. Shaw, Christ. Brist, A. Mann, Jacob Rawling, George H. Neilson, George H. Neal, Stephen Fowler, J. Armiansone, H. Evans, S. Condon, G. E. Howe, H. Kenney, J. C. Jamison, H. Emerson, Erastus Purdee, A. Elliott, William Hopkins, L. Robson, H. Williams, Saunders, Samuel Curran, James Sheehan, Joseph Beckerman, Henry Schwinge, partners as Becker & Schwinge; Susan Trout, Atlas Works, John Sweeney, J. W. Geyer Adams and J. Mackrow, partners as Curran, Adams & Co.; John Brimer, ... Thompson & Co. — Pollard partners as Thompson & Pollard; H. H. Ward, Administrator of estate of Myer Ward, Sen. Kahn, Joseph & Co. Milsen; James D. Layman & Simeon B. Conway and Harvey J. Carey partners as Layman, Carey & Co.; J. Brandreth, Samuel H. Mee, Edward C. Egan and Alvater J. Treat, partners as Egan & Co. Treat, John Tucker, John Rolf, William Sardison, George Legend, Kirk Hunts, Henry Hunter, E. A. Casey, A. Sheehy, D. C. Thorne,

and Jos. Edwards, Jr. Jas. W. Mann
Lewis J. Sherman, Wm. Lewis, Benjamin
A. Fee, C. Fuller, S. [illegible]
S. Messick and Jesse Messick, partners as
L. S. Messick & Bro. C. Saunders, Hannah
N. Reil and James W. Morris, partners a
Reil and Morris; Alfred N. Shankland
Cape and [illegible] Reed, partners as Shankland
Cape and Reed; Jesse Jones, Jr. and Isaac
P. McMorris, assignees of C. Jones & Bro.
Jones Evans [illegible] Hastings and [illegible]
partners as Evans, Hastings and Co.; Clinton
Emmons, [illegible] Lewis [illegible]
Charles P. Watson, George H. Parnell, Joseph
Dilworth, George Parker, [illegible] and
J. N. Swell, partners as Dilworth, Parker &
W. H. Brown; Robert Mc. Lockwood and R.
Lockwood, partners as R. Mc. Lockwood &
Edward C. Allen and [illegible] Allen, part-
ners as Allen Brothers; William Rowley
Administrator of Mc. Nevin, deceased, Pat.
Casey, Joseph Bailey, John Jones, Wash.
Bratton, N. Mc. Kimball, Thomas Conner
& Co. Porter, Joseph H. English, Edward
Stubbins, Clinton D. Hunter, John Bro-

William H. R. Hoveland, William Arden, Enos Smith, William Sellman, M. Barnett, Jacob Hill, Dietrich C. Smith and ——— Fellow, partners as Smith, Fellow & Co., Bernard Gilbert, Benjamin Lowe & Son Co., Francis Key, William Whitehead, N. A. Ewing, J. A. Taylor, S. S. Oakwood, Philip M. Hazen, John C. Brown, Gabler & Shearer, Abner A. Knapp, R. Mahon, H. S. Marshall, Ed Brown, Wm. C. Stewart, S. J. McEwen, James E. Mercer, Wm A. Taylor, and Wm F. Smith partners as Mercer, Taylor & Smith, A. J. Swinson, John C. Hess, Thomas E. Chandler and Llewellin Taylor partners as Chandler & Taylor, William Burford, A. Dundas, H. E. Walters, J. C. Stewart, Gray & Dodd, J. H. Adams, Isaac S. Hinkle, Joseph E. Sweeney & Hills Jackson and George H. Jackson partners as E. Hills Jackson and Brothers, McElroy, Tatum & Swayze Company, Western Union Telegraph Company, Wm. Dall, Frank H. Dall and Edward Dall, partners as Dall and Sons, Nancy Webb, Executrix, David Cather,

Williamson, Simms & Dunn, A. H. Ford & A. S. Hotchkiss, Jas. Williams, Joseph H. Morgan, David's Miller, Philip Johnson, James G. Cumming, John B. Robinson & Co. Baker, Edward Swain, John H. & F. Shuee & Jacob Thomas, Thomas Lucas, Samuel & Thomas Stojer, James Fairin, L. H. Gross, John Robins, Edward Bailey, W. Hamp- & Eli Watkins, John Adams, Martin Ryan, James Barnard, William Miller, J. McWilliams, Administrator of estate of Thomas McWilliams, Charles Kellerstraus, Administrator of the estate of Dan Kellerstraus; C. Phillips, Frank Cornell and — Smith partners as Cor- nell and Smith; Wm C — Eles, Louis Moulin, G. F. Lucas, G. F. Lucas and Fabius M. Finch, Fabius M. Finch & for — Madden, John Kitchen, John Russell, Barnett White, Frank Mayer, M. Raphael; Henry S. Ottenheimer and — Ottenheimer partners as Ottenheimer Bros; J. A. Heil, Sams Dunlap, Quantus Spiegel, Francis Lewis and Henry Frank, partners as Lewis Thams & Co., H. McLaughlin, D. K. Parmele, John Slater, C. A. Phillips, W. Wright, &c

Lamprell, Toms & Co; R.K. Cannahan, J.D. McKenzie, Fred. Eynatten, Williams Tool Company, Julia Tully, P.H. King, Pat Murnden, J.D. Blaine, J.T. Perkins, John Ryan, D.P. Dagen, M. Bonnerty, James Breckenridge, Thomas Cassidy, Pat Ryan, James Walsh, Samuel M. Cambern, Simon Foran, Geo. H. Graham and ——— Graham, partners as Graham Brothers; A.P. Haddard, M.J. Saffer, D. Slinder, H. Summell, Foranda Green, A. Huff, J.P. Webber, W.D. Hunt, E.P. Miller, J.M. Howland, J.L. Dena, C.L. Lawrence, H.F. Lawmore, Charles Smith, C.C. Culbertson, John M. Longsbuth, Miner Mears, Charles Reily, Henry Kent, John Bradbury, James Broderick, John J. Crain, J. Case, John Cliffford, David Rhodes, C.C. King, Jacob Downey, Benjamin Adams, Pat Hall, Valney Furman, George Fennell, Thomas Crotty and ——— Crotty, partners as Crotty Brothers; Henry Mayer, Clay C. Walker, James Grant, J.J. Mears, D.J. Ford, L.A. Lucas, and ——— Lucas, partners as L.A. Lucas & Co. Brothers; Pittsburgh, Cincinnati

Morton Associates & [illegible] partners

and St. Louis Railway Company, James
Hunter, and John Evans, Elliott Evans,
John Foster & Evans, J. L. Jones and
C. Stout, J. J. Nolan, H. J. Hunter,
Smith, — Kippen and E. F. Hurand
partners as Smith, Kippen & Co.; Larsen
Kipps; James & Marion Graham & Taylor
and William H. Smith, partners as
Taylor & Smith; James Hendrickson &
Martin partners as Hendrickson & Martin;
Benjamin E. Smith assignee of Jacob
Heberlein and Abraham Fisher, J. H.
Wallace, W. H. Smith, J. M. Snyder, Horace
Barrett and John R. Beckum, partners
as Barrett, Beckum & Co.; Mary Livingston
D. Rickson and Charles S. English,
partners as Rickson & English, Indiana
National Bank of Indianapolis, Thomas
Jesse M. Richards, Charles H. Fourtanes,
Elias Reed and Frank B. Reed, partners
as D. Reed & Co.; Charles G. Coffin,
H. Kinney, Nicholas McCarty, James
Frank, August Flaig, Xavier W. Le
Assignee of P. S. Cooley; H. Hildebrand
and — Kiel partners as Hildebrand &

King; H. L. Sugett, Henry C. Adams, Assignee of —— Northrop, Reginald R. Parker, William Burke, A. F. Ramsey; Benjamin Tilford, Administrator of estate of David Rawles; George Webster and Abram Gish, partners as Webster and Gish; H. F. Coe; Geo. F. W. Simms, Assignee of Webster & Sugham, Sam Ward Enlgar Reiss, George D. Weiss partners as Reiss and Co. Cuss; John Needman, W. F. Slater, Lawson Abbott, Isaac Kahn & Co retailers & Jewelers; Ephraim Lewis and John A. McGilligan partners as Lewis & McGilligan; Dennis Leary, Alphonso Lent, Edrick Coffey, Pat. McIntyre, Harry Dugan, L. Grauman, A. C. McPhelers, A. C. Cuss, Joseph Lammers; C. M. Kelly and —— Huff, partners as Kelly & Huff; —— Parker and —— Hopkins, partners as Parker & Hopkins; Thomas M. Lowe, David Mayer, William M. Dr. administrator of estate of [illegible] L. J. Clifton, Calhaun Russell, Wm. J. Lowe, Goldsmith Gordon, C. H. Peterson, J. B. Pickles; Louis C. McKneed, John M. Butler; Frank D. McKneed and

Monday December 3rd 1832 continued

George C. Butler, Solomon W. Roberts and Ebenezer Bolton vs Nathaniel Ashmead, Samuel B. Sugeresse, Edward W. Shoemaker, Thomas S. Sugeresse, George Ashmead, Edward A. Ashmead, Robert Kennedy Morgan, Alexander Ashmead & Company. Petition to have the assignment of estate of John Ashmead Esqr & Thomas S. Ashmead Esqr & Edward Shoemaker James Shaw Henry C. Morris Richard Evans Solomon Sheppard and William A. Ashmead, for the use of P. Anderson Michael Smith Edward Hopkins Wingate and William H. Morris to the sum of Seven thousand pounds with interest from the time of judgment

for the Plaintiffs Mr Hopkins

David F. Mitchler
Collector &c.
vs. Appellant
Jr. Lancaster &
Burnham Manufacturing Company

Case remitted to the Court below to enter Judgment & costs and that Execution issue

	The Texas Pacific and Pacific R.R. Co.	The same rule
1103	vs. Pltf in Error.	having been
	The United States	complied with
	And	for the Pltf in Error
	The Houston & Texas	
	Central Railroad Co.	
1104	vs. Pltf in Error.	
	The United States	

No. 1102 Richard Richardson, Appellant vs. The Territory of Oklahoma, Appellee.
No. 1103 Richard Richardson et al, Appellants, vs. James M. Richardson, Appellee.
No. 1104 James M. Cain, Appellant vs. The Territory of Texas

On consideration of the motions to advance this cause, it is ordered that said motions be, and the same are hereby denied.

By the Court, Justice Harlan.

	The Kansas & Texas Coal Co.	On consideration
1063	vs. Pltf in Error.	of the motion
	The Southern Pacific	to advance this
	Railroad Company.	cause, It is or-

dered that said motion be, and the same is hereby, granted.

[illegible]

during the Journal to me not later than
month of December, the same to be bound
pursuant to section xxxiv of the
per Wm: Owen Justice Court.

The Chief Justice announced that the
Court had adopted the following rule:-

No 32

All models, diagrams, and exhibits of
material placed in the custody of the Mar-
shal for the inspection of the Court on the
hearing of a cause must be taken away by
the parties within one month after the
cause is decided. When this is not done, it
shall be the duty of the Marshal to notify
the counsel in the cause, by mail or other-
wise, of the requirements of this rule; and
if the exhibits are not removed within
[illegible] days after the notice is given he may
destroy them, or make such other disposi-
tion of them as he may deem
best.

The Court pass upon the following announcement

Our attention has been called to the practice which prevails in the Clerk's office of ordering original records to be printed, and of taxing in the bill of costs a fee for one manuscript copy of the record, when no such copy is in fact made.

On investigation we find that the statute regulating the fees of the Clerk was passed in 1799, and that under this statute a table of fees was prepared, many years ago, by or under the direction of the Court, which has been followed by the Clerk in the taxation of costs ever since. No provision was made, by rule or otherwise, for printing the records, until January term, 1831. Before that time the practice was, as we are informed, for the Court to use the original record, and the Clerk made two manuscript copies for the use of the parties. For these copies he charged the parties

according to the established table of fees. At January term, 1831, the Attorney General on behalf of the United States, applied to the Court for leave to take the original records from the Clerk's office to be printed, at the same time observing that he had been informed that in such cases it had been the usage of the Court to charge half fees. Chief Justice Marshall, speaking for the Court, said that the Clerk of this Court had a clear right under the 7th section of the act of 1825, to demand fees for a copy of the record whenever it was taken out of his office, and that the Court was not disposed to interfere; and that the party could not withdraw the records without paying the fees, but that any arrangement which the Clerk was prepared to make would be satisfactory to the Court. The original records in these cases were afterwards delivered to the printer and printed, and the Clerk charged and was paid full fees for one manuscript copy.

At the same term the first rule for printing the records was adopted

which provided for the taxation of the fees for one manuscript copy of the record in the bill of costs. When this rule was promulgated the Court consisted of Mr Justice Wayne and Associate Justices Johnson, Story, Thompson, Nelson, and Baldwin. Mr. Justice Baldwin insisted on this provision of the rule, for the reason among others, that it allowed the Clerk a fee for a copy whether one was made or not.

Under the rule thus adopted the printing of records began, and from the first the original records were sent to the printer, and a fee for one manuscript copy was charged in the costs, whether any copy was made. There is abundant evidence that at the outset this practice was directly at variance with the opinion of the Court. In 1839, the House of Representatives instructed the Judiciary Committee to "inquire what fees are charged against the United States for printed copies of records of suits pending in the Supreme Court which have been printed at the

expense of the United States, x x x x and whether any legislation is necessary in relation to costs of suits in said Court."
The Committee reported, submitting a statement of the Clerk on the subject, and were discharged. From this statement of the Clerk and from other evidence obtained the Committee ascertained the number of its members, visited the office during the progress of their enquiries, and possessed themselves fully of the mode of doing the business and of the compensation therefor.

The [illegible] by the reporters revised by Chief Justice Taney under the direction of the Court and the process for printing the records was put into the form in which it now appears in paragraphs 2, 3 & 4 [illegible] 5 of this &c.

We are advised that prior to the death of Chief Justice Taney no manuscript copies of the records were ever made, and that the fee for one copy was always charged in the costs. Since the death of Chief Justice Tan-

copies have in some cases been made.
The present Clerk has followed the
practice of his predecessors.
We are entirely satisfied that the prac-
tice, as it now exists, is in all material
respects what it has been for more than
fifty years, and that at the beginning
it received the approval of the Court.
No one now on the bench ever heard
of any complaint, or of any application
for a re-taxation of costs, on account
of what was done, until late in the
last term, when a motion for a taxation
was made in the case of James vs.
Campbell.
There is an apparent conflict be-
tween the rules and the practice under them
which ought not to exist. It is also evident
that what was fifty years ago no more
than a reasonable compensation for
the important services of the Clerk
is now, under the operation of the
rules as there construed and the prac-
tice then inaugurated, larger than it
ought to be. To prevent misunderstand-

expire the future and to reduce the expense of lawsuits ordered during session to the [illegible]

I. That the second clause of the amended rule read as follows:

The Clerk shall not permit the original record or paper to be taken from the court room or permit the same to be withdrawn from the record; but upon the application of any party to the cause or proceeding such paper shall be withdrawn by the Clerk or some person to be provided under the requirements of rule 30.

II. That paragraphs 3, 11, 5 and 6, of Rule 10, be rescinded, and the following be adopted in lieu thereof:

3. The Clerk shall take to the printer the original record in the office of the Court in cases prohibited by the rule. But the original record shall be taken by the Clerk, who shall furnish the printer with a manuscript copy. He shall superintend the printing, and see that the proof sheets are properly corrected. He shall take care of and return to the proper

copies to the judges, the reporter, and the
parties, from time to time as required.

11. In cases where a manuscript
copy of the record is ordered from
the printer, the fee of the Clerk for ex-
amining such manuscript copy shall be one half the rate
allowed by law for ordinary manuscript
copy, and that shall be charged to the
party bringing the case into Court, in
case the Court shall otherwise direct.
Where manuscript copies are required
to be made, the fees for a copy may be
charged, but nothing in addition for
the other services required.

5. In all cases the Court shall direct
a copy of the printed record to each party
without extra charge. In cases of dis-
missal, reversal or affirmance, with
costs, the fee allowed in the last para-
graph shall be taxed against the
party against whom costs are given.

In cases of dismissal for want of
jurisdiction, such fee shall be taxed
against the party bringing the cause

Monday, November 13th 1815 continued

[illegible]

Edward Shand dec.
vs. Appellants.
William Smith & al.

The motion to dismiss this cause was submitted to the consideration of the court on the record and printed arguments by Mr. James S. Belzer and Mr. Lewis Deaver in support of the same and by Mr. Mayer Sulzberger in opposition thereto

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The Commissioners of Buncombe County in dec.
vs. Appellants.
Vincent R. Tommey & al

Mr. William E. Davis on the part and behalf of the Appellants

to dismiss the writ of error

Charles N. Haiden et al
vs. Pltfs. in Error.
Daniel Smith

The motion to dismiss this cause was submitted to the consideration of the court

the record and printed arguments by Mr. George F. Appleby and Mr. H.E. Edmonston in support of the same and by Mr. Francis Miller in opposition thereto.

The New York Guaranty & Indemnity Company et al. vs. The Memphis Water Company, The City of Memphis et al.

160. Appellants.

On motion of Mr. Fillmore Beall, of counsel for the appellants, it is ordered that cause be shown by the Taxing District of Shelby County, in case, before this Court at Washington, in the District of Columbia, on the second Monday of December next at 12 o'clock noon of that day, or as soon thereafter as counsel can be heard, why an order should not be entered in this cause substituting the said Taxing District of Shelby County, Tennessee, for the City of Memphis as a party appellee in this cause.

The American Ballast
Log Company.
vs. Appellant.
John N. Barnes and
Dominick Hall

Appeal from
the Circuit
Court of the
United States
for the
District
of Maryland.

Appeal from the circuit court of the United States for the fourth circuit and district of Maryland.

This cause came on to be heard on the transcript of record from the circuit court of the United States for the fourth circuit and district of Maryland, and was argued by counsel.

On consideration whereof it is now here ordered by this court that the decree of the said circuit court in this cause, pronounced on the 6th day of December, 1881, dismissing the complainant's bill with costs and on the 11th day of December, 1881, the complainant prayed an appeal to the Supreme Court of the United States which was allowed and bond filed.

In testimony whereof I hereto set

my hand and affix the
seal of the said Circuit
(Seal) Court this 8th day of
November A.D. 1852.
Jas. H. Lucas Clerk
Cir. Ct. U.S."

and having stated that the appellant
has altogether failed to file record
in said cause in this Court in any
way to prosecute said appeal, moved
the Court, in pursuance of the 9th Rule,
to have this appeal docketed & dismissed.
Whereupon, It is now here ordered,
adjudged and decreed by this Court
that this appeal from the Circuit Court
of the United States for the District of
Louisiana be and the same is hereby
docketed and dismissed with costs; and
that this cause be, and the same is
hereby remanded to the said Circuit
Court to be proceeded in according to
law and justice.

per Curiam Taney

Charles F. King 1041 vs. Pfff. in Error The State of Missouri	The motion to dismiss this cause was

submitted to the consideration of the Court on printed arguments by Mr. S. F. Phillips, in support of the same, and by Mr. L. H. Sweard and Mr. Jeff Chandler, in opposition thereto.

Wallace S. Jones Exd Noble Jones, Executors &c et al 82 vs Appellants Wm H. Habersham Exd Wm Hunter, Executors vs et al	Mr. H. H. Montgomery, of counsel for the appellants, suggested the death of Noble Jones, Executor &c. one of

the appellants in this cause.

Wallace S. Jones Exr of Noble Jones, Excrs. &c. et al. 82 vs Appellants. Wm H. Habersham Exr of Wm Hunter, Executors &c et al	The argument of this cause was commenced by Mr. H. H. Montgomery,

of counsel for the appellants, and continued by Mr. H. S. Chisholm, of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 14th 1882.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite	Chief Justice
Samuel F. Miller	Associate Justices
Stephen J. Field	
Joseph P. Bradley	
William B. Woods	
Stanley Matthews	
Horace Gray	
Samuel Blatchford	
John G. Nicolay, Esquire	Marshal
James H. McKenney	Clerk

Proclamation being made, the Court is opened

82. Wallace S. Jones, Executor et al appellants vs. Wm R. Habersham & Wm Hunter Executors &c et al

The argument of this cause was continued by Mr. W. S. Chisholm and Mr. A. R. Lawton, of counsel for the appellees, and concluded by Mr. W. H. Montgomery, of counsel for the appellants.

The City of New Orleans vs. Appellant. The New Orleans Mobile & Texas Railroad Company.	The argument of the motions to dismiss this appeal and for leave to prosecute the same by the Board of Liquidation of the City Debt in the name and stead of the City of New Orleans, was commenced by Mr. John L. Cadwalader, in support of the motion to dismiss, and continued by Mr. Henry C. Miller, in opposition thereto and in support of the motion for leave to prosecute the appeal by the Board of Liquidation of the City Debt in the name and stead of the City of New Orleans

17.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock